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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Monday, June 3, 2002 2:00 PM

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Ammiano	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 22

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Maxwell, McGoldrick - 2.

Quorum present.

Supervisor Maxwell was noted present at 2:02 p.m.

Supervisor McGoldrick was noted present at 2:02 p.m.

Privilege of the Floor

Supervisor Leno, seconded by Supervisor Gonzalez, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guests

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to 29 student winners of the SF La Raza Lawyers Essay Program.

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Rufus Wainwright.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

There were none.

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CONSENT AGENDA

Recommendations of the Finance Committee

020704 **[Appropriating Funding for Moving the Sheriff to 1740 Folsom Street]**
Supervisors Peskin, Daly

Ordinance appropriating $351,858 from Federal funding for housing prisoners for one-time expenses associated with moving the Sheriff's training and other departmental services to 1740 Folsom Street fiscal year 2001-02. (Controller)

(Fiscal impact.)

Ordinance No. 93-02
FINALLY PASSED

020791 **[Accept and Expend State Funds - Victim Compensation Program]**
Supervisors Leno, Daly

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend funds in the amount of $75,000 made available through the State of California Victim Compensation and Government Claims Board to reimburse local group mental health counseling, education and activities to promote tolerance for individuals at risk for discrimination as a result of terrorism and backlash from terrorism, and waiving indirect costs due to funding constraints.

Resolution No. 383-02
ADOPTED

020826 **[Lease of Real Property]**
Resolution authorizing a new lease of real property at 68 12th Street on behalf of the Department of Public Health, Emergency Medical Services. (Real Estate Department)

(Public Benefit Recipient; District 6.)

Resolution No. 384-02
ADOPTED

Recommendation of the Public Works and Public Protection Committee

020268 **[Requiring the Airport Commission to submit settlements and claims related to construction contracts in excess of $100,000 to the Board of Supervisors for approval]**
Supervisors Sandoval, Peskin

Ordinance amending Administrative Code Sections 10.25-10 and 10.25-11 to eliminate the exemption from Board of Supervisors approval for settlements of construction contracts under the jurisdiction of the Airport Commission, and making such settlements in excess of $100,000 subject to approval by the Board of Supervisors.

Ordinance No. 90-02
FINALLY PASSED

Recommendations of the Rules and Audits Committee

012130 **[Regulation of Mass Mailings]**
Supervisors Leno, McGoldrick

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by amending section 1.161 to require candidates who pay for mass mailings to file, within five working days after the date of the mailing, an itemized disclosure statement with the San Francisco Ethics Commission.

Ordinance No. 89-02
FINALLY PASSED

020596 **[Candidate Qualification Statements]**
Supervisor Gonzalez

Ordinance amending the Municipal Elections Code to permit candidates for Assessor-Recorder and Public Defender who qualify for a runoff election to submit a new candidate qualification statement for the runoff election.

Ordinance No. 91-02
FINALLY PASSED

020637 **[Establishing a San Francisco Museum and Historical Society Advisory Committee]**
Supervisors Peskin, Leno, Newsom

Ordinance amending Article VIII of the San Francisco Administrative Code by adding Section 2A.166 to establish the San Francisco Museum and Historical Society Advisory Committee as an advisory committee to the Board of Supervisors and the Board of Trustees of the Fine Arts Museums of San Francisco.

Ordinance No. 92-02
FINALLY PASSED

Recommendations of the Transportation and Commerce Committee

020705 [Parking Regulations, Various Locations]
Supervisor Newsom

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH
Geneva Avenue, south side, from Louisburg Street to 18 feet westerly (18-foot zone).

RESIDENTIAL PERMIT PARKING AREA "W" (1-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
22nd Street, both sides, between Bryant and York Streets (2700 block).

NO PARKING ANYTIME - RESCIND
Anderson Street, south terminus, in front of 798 Anderson Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Anderson Street, south terminus, in front of 798 Anderson Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
4th Avenue, east side, from 120 feet to 130 feet south of Cornwall Street, in front of 216 - 4th Avenue.

NO PARKING ANYTIME - ESTABLISH
Congo Street, north side, from Bosworth to 40 feet westerly.

NO PARKING ANYTIME - ESTABLISH
Bacon Street, north side, from the west property line of Bowdoin Street to 42 feet easterly.

NO PARKING ANYTIME - ESTABLISH
Holyoke Street, east side from Campbell Street to 40 feet southerly.

NO PARKING ANYTIME - RESCIND
Mojave Street, between Bradford Street and Peralta Avenue, both sides.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Mojave Street, both sides, between Bradford Street and Peralta Avenue.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 2nd Street to 140-feet easterly (removes five meters).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 3rd Street to 140-feet easterly (removes two meters).

METERED MOTORCYCLE PARKING - ESTABLISH
Hyde Street, west side, from 2 feet to 30 feet south of Ellis Street, in front of 359 Hyde Street (replacing meter #329 and adjacent red zone with eight motorcycle stalls).

METERED COMPACT PARKING STALL - ESTABLISH
10th Street, west side, from 180 feet to 195 feet north of Harrison Street, in front of 360 10th Street (at meter #342).

UNMETERED COMPACT PARKING STALL - ESTABLISH
17th Street, south side, from 8 feet to 23 feet east of Shotwell Street, (15-foot zone in front of 3141 17th Street, accommodating one compact stall).

NO PARKING ANYTIME - RESCIND
Charter Oak Avenue, east side, from Helena Street up to and including the south terminus (including frontage along I-280 freeway).

NO PARKING ANYTIME - ESTABLISH
Charter Oak Avenue, east side, from Helena Street to the south terminus.

1-HOUR PARKING - ESTABLISH
Jessie Street, south side, between Mint and 6th Streets (Parking and Traffic Department)

(DPT Order No. 2422.)
(4/30/02 Categorically Exempt from Environmental Review - Class 1(c) existing highways and streets)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 376-02

ADOPTED

020706 [Traffic Regulations, Various Streets]
Supervisor Newsom

Resolution enacting and rescinding traffic regulations on various streets.

MUNI BUS ZONES - ESTABLISH
North Point Street, south side, from The Embarcadero to 80 feet westerly (80-foot zone near-side zone) (This legislatively reinstates a bus zone that was never physically removed).

NO LEFT TURN, 7 A.M. - 9 A.M. AND 4 P.M. - 6 P.M., MONDAY THROUGH FRIDAY- ESTABLISH
Geneva Avenue, both directions at Paris Street.

NO RIGHT TURN - RESCIND
Bayshore Boulevard, southbound, onto Arleta Way.

BUS ZONE - RESCIND
Folsom Street, south side, from 3rd Street to 80-feet easterly (Bus zone will be relocated to new boarding island).

BUS ZONE - RESCIND
Folsom Street, south side, from 2nd Street to 100-feet westerly. (Bus zone will be relocated to new boarding island).

TOW-AWAY, NO STOPPING ANYTIME FROM 3 PM - 7 PM, EVERYDAY - ESTABLISH
Masonic Avenue, west side, form 150 feet to 300 feet north of Geary Boulevard.

STOP SIGNS - ESTABLISH
Jerrold Avenue and Napoleon Street, stopping Napoleon Street, the stem of the T-intersection at Jerrold Avenue, making this uncontrolled T-intersection a one-way STOP.

STOP SIGNS - ESTABLISH
Loomis Street and Oakdale Avenue, stopping Oakdale Avenue at Loomis Street, making this intersection an all-way STOP.

STOP SIGNS - ESTABLISH
31st Aveune and Quintara Street, stopping 31st Avenue and Quintara Street, making this intersection an all-way STOP.

TOW-AWAY, NO STOPPING, 7 AM to 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
McAllister Street, south side from Van Ness Avenue to 125 feet westerly. (affects meters # 501, 503, 505, 507, 509 & 511).

STOP SIGNS - ESTABLISH
32nd Avenue at Pacheco Street, stopping 32nd Avenue, making this intersection an all-way STOP. (Parking and Traffic Department)

(DPT Order No. 2422.)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 377-02

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 2 - McGoldrick, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

020755 [Pension Buy-Backs-Rollovers/Transfers]
Supervisor Daly

Ordinance authorizing the Retirement System to accept rollovers and transfers from qualified and non-qualified tax plans for buybacks. (Retirement System)

(Requires nine votes to pass.)

Ordinance No. 94-02
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 2 - McGoldrick, Sandoval

From Transportation and Commerce Committee Without Recommendation

011729 [Residential Parking Permits]
Supervisors Newsom, McGoldrick

Ordinance amending San Francisco Traffic Code Section 308 to limit the number of residential parking permits issued to a single address. (Parking and Traffic Department)

Ordinance No. 88-02
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 2 - McGoldrick, Sandoval

NEW BUSINESS

Recommendations of the Finance Committee

012027 **[Appropriation - Airport Commission Airline Passenger Facility Charge (PFC2) Revenue]**
Ordinance appropriating $18,800,000 of Passenger Facility Charge (PFC2) revenue to fund the cost of the principal and interest on bonds issued for certain eligible costs associated with the development of the new international terminal complex at the Airport Commission for fiscal year 2001-02. (Controller)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

upervisor Hall Excused From Voting

Supervisor Peskin, seconded by Supervisor Yee, moved to excuse Supervisor Hall from voting on the following two items. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

20554 **[Agreement for the Purchase and Sale of Recycled Water]**
Supervisors Maxwell, Peskin

Resolution approving and authorizing the SFPUC General Manager to sign an Agreement for the Purchase and sale of recycled water between the SFPUC, the City of Daly City, and three local area golf courses (i.e. Olympic Club, San Francisco Golf Club and the Lake Merced Golf Club).

(Fiscal impact.)

Supervisor Hall excused from voting.
Resolution No. 374-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

0555 **[First Amendment to Water Supply Contract]**
Supervisors Maxwell, Peskin

Resolution approving and authorizing the SFPUC General Manager to sign the First Amendment to the water supply contract between the City and County of San Francisco and the City of Daly City for purposes of conducting an Aquifer Recharge Study.

Supervisor Hall excused from voting.
Resolution No. 375-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

020728 **[Affordable Housing General Obligation Bonds]**
Mayor, Supervisors Ammiano, McGoldrick, Newsom, Maxwell, Sandoval, Daly, Leno, Peskin

Resolution determining and declaring that the public interest and necessity demand improvements in the City and County of San Francisco consisting of financing the acquisition, rehabilitation, renovation, improvement, construction, refinancing or preservation of privately-owned or leased rental and housing affordable to low- and moderate-income households, providing downpayment assistance to low- and moderate-income first time homebuyers and paying all other costs necessary and convenient for effectuating those purposes, that the estimated cost of $250,000,000 for the improvements described above is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53. (Mayor)

(Fiscal impact.)

Resolution No. 378-02
ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

020752 **[State funds transfer to CMHDA for contract services to improve mental health treatment for children in foster care and other children placed outside of San Francisco]**
Resolution endorsing the transfer of State general funds from the State to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2001 through June 30, 2002. (Public Health Department)

Resolution No. 380-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020759 **[Zoo General Obligation Bond Sale]**
Mayor

Resolution authorizing and directing the sale of not to exceed $6,210,000 City and County of San Francisco General Obligation Bonds (Zoo Facilities Bonds, 1997), Series 2002A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of the official notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; amending Section 9(b) of the Authorizing Resolution; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

(Fiscal impact.)

Resolution No. 381-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020773 **[Interdepartmental Jurisdictional Transfer of Property (Phelps Street Land Transfer)]**
Mayor

Resolution transferring jurisdiction from the Public Utilities Commission to the Municipal Transportation Agency the real property identified as a portion of Assessor's Parcel No. 5262/9 for a substation for the San Francisco Municipal Transportation Agency's Third Street Light Rail Project; adopting findings pursuant to the California Environmental Quality Act; and adopting Findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of the Planning Code Section 101.1. (Mayor)

Resolution No. 382-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

)20795 **[Fifth and Mission Parking Garage Bond Refinancing]**
Resolution approving and authorizing the issuance of City of San Francisco Downtown Parking Corporation Parking Revenue Refunding Bonds to refund bonds previously issued by the City of San Francisco Downtown Parking Corporation; approving a bond indenture modifying the maximum amount of the surplus revenue fund; authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such refunding bonds; and ratifying previous actions taken in connection therewith. (Mayor)

(Fiscal impact.)

Resolution No. 360-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

ecommendation of the Transportation and Commerce Committee

20446 **[Mission District Interim Controls]**
Supervisors McGoldrick, Ammiano, Sandoval, Daly

Resolution amending the Mission District Interim Controls by amending subsection (a) to allow a "community service" office use in areas zoned M-1 and M-2 in the area bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central Freeway and to amend the definition of "community service" to include a nonprofit labor organization.

(Certificate of Exemption/Exclusion from Environmental Review dated 4/23/02)

Supervisor Daly requested to be added as co-sponsor.
Resolution No. 373-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

upervisor Yee Excused From Voting

Supervisor Leno, seconded by Supervisor McGoldrick, moved to excuse Supervisor Yee from voting on the following item. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

ALLED FROM COMMITTEE

020626 [Appointment]

Motion appointing Supervisor Leland Yee, term ending February 1, 2005 to the Bay Area Air Quality Management District Board of Directors.

Supervisor Leland Yee, succeeding Supervisor Tony Hall, Seat No. 1, must be a member of the San Francisco Board of Supervisors, for the unexpired portion of a four-year term ending February 1, 2005.

Motion No. M02-86

APPROVED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Yee

SPECIAL ORDER 3:00 P.M.

020941 **[Presentation of the Mayor's Budget Submission to the Board of Supervisors]**

Presentation of Mayor's June Budget Submission to the Board of Supervisors.

Mayor Willie L. Brown Jr., appeared and gave an oral presentation of his budget for Fiscal Year 2002-2003.

FILED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

020940 **[Hearing - Unrepresented Employees]**

Supervisor Ammiano

Hearing on the proposed ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2002.

Ms. Alice Villagomez, representing the Department of Human Resources, spoke briefly.

The President inquired if there was anyone present who wished to address the Board.
There being no response, the President declared the public hearing on this matter closed.

HEARD AT PUBLIC HEARING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Committee of the Whole Rise and Report Without Recommendation

20535 [Unrepresented Employees]
Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2002. (Mayor)

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

ppointment of President Pro Tempore

At the request of the President, Supervisors Yee and Peskin assumed the Chair at different times for a brief period.

The President resumed the Chair shortly thereafter.

PECIAL ORDER 3:00 P.M.

0769 **[Public Hearing - Appeal, Conditional Use, 2455 Bush Street (a.k.a 1770 Scott Street)]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16375 dated April 11, 2002, approving Conditional Use Application No. 99.0818C to allow the lot size to exceed 9,999 square feet (77,056 square feet existing); to allow the use size to exceed 3,999, square feet (21,000 gross square feet proposed); and to demolish approximately 5,900 gross square feet of a two-story building fronting on Bush Street, and to construct a new two- and three-story replacement structure and additions of approximately 11,700 gross square feet with new locker and fitness rooms to serve the existing tennis club (The California Tennis Club) per Sections 121.1, 121.2, 303, 711.11, 711.21 and 711.81 of the Planning Code for the property in Assessor's Block 680, Lot 3 in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at: 2455 Bush Street (a.k.a 1770 Scott Street), between Scott and Pierce Streets in the Western Addition neighborhood; Lot 3, in Assessor's Block 680.

Appellants: Jan Bolaffe; Andre Bollaffica; Kathleen Mortimer; Ansel Wettersten; Mark Armstrong; Laura Wettersten; Shane Redston; Rose Pearl; Howard Ash; Patricia Boeing; Allen Bamberger; Dawn Borkhart; Edwin.

Respondents: Gerald Green, representing Planning Commission; Sally Rosenblanch; Bob Chainy; Jerry Pang; Sally Bingham; Allen Bamberger; Emmanuel Isadiar; Alex Kotlyar; Kurt Schlesinger; Vicki Watts; Edgar Osgood; Mary McKelton; Charles Higgins; Ms. Hicks; Lou Mannupau; Kendall Halon; Connie Elliot; Nelson Wild; Thayer Hopkins; Bruce Lyle.

A rebuttal period was allowed.

The President then declared the hearing closed.
HEARD AT PUBLIC HEARING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

020770 **[Appeal, Conditional Use, 2455 Bush Street (a.k.a. 1770 Scott Street)]**
Motion approving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Filed on May 10, 2002.)

Supervisor Gonzalez requested this matter be continued to June 17, 2002.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020771 **[Appeal, Conditional Use, 2455 Bush Street (a.k.a. 1770 Scott Street)]**
Motion disapproving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Supervisor Gonzalez requested this matter be continued to June 17, 2002.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020772 **[Findings - 2455 Bush Street (a.k.a. 1770 Scott Street)]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.0818C, on property located 2455 Bush Street (a.k.a 1770 Scott Street), for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Gonzalez requested this matter be continued to June 17, 2002.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

COMMITTEE REPORTS

Recommendation of Neighborhood Services and Recreation Committee

020729 **[Supporting a Unified San Francisco School District]**
Supervisors Leno, Maxwell, Ammiano, Peskin, Sandoval, Daly

Resolution supporting a unified San Francisco School District and urging educators, school administrators and community members to collaborate to improve educational opportunities for all City of San Francisco children.

Resolution No. 379-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

PUBLIC COMMENT

Luke Calabro, Bay Area Civil Rights Group, discrimination and hate crimes;
Randy Shodwick, homelessness, Hastings parking garage project;
Glenda Hope, Hastings parking garage project;
Father John Harding, St. Johns, Hastings parking garage project;
Cathy Colgin, Hastings parking garage project, mental health;
John Fitzgerald, Hastings parking garage project, homelessness;
Abdallah Megahed, homelessness;
Daisy, Moonstar Restaurant, irresponsible KPIX report;
Pedro Rios, human dignity, INS raid free zone;
Mrs. Ramos, INS raid free zone;
Ana Marie Loreda, INS raid free zone;
Larry Edmund, homelessness;
Arnold Deffe, Hastings parking garage project.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

020933 [Legislative Analyst Request - Process for Conversion of Rental Units to Ownership Units]
Supervisor McGoldrick

Motion asking the Legislative Analyst to analyze how the process for conversion of rental units to ownership units will take place under the process that would be created under this legislation, and compare this to the process that currently is in place under Article 9 of the Subdivision code. In particular, analyze how the process for conversion of rental units to ownership units will take place under this initiative ordinance, and compare this to the process that currently is in place for conversions under Article 9 of the Subdivision code. Where the HOPE conversion process differs with the provisions of the Article 9 conversion process, please identify the function and purpose of the Article 9 section in question. In addition, please assess how this legislation changes timelines for processing applications for conversions, what affect such changes in timelines may have on the ability of City agencies in fulfilling their responsibilities under the initiative ordinance. Also, please analyze how efficiently and effectively this initiative ordinance would be in allocating among City departments the administration of the responsibilities and duties that it imposes. Please also answer the following questions: 1) Based on an analysis of other jurisdictions that have enacted similar measures, are the more likely beneficiaries of such a policy existing tenants living in the units to be subdivided, or prospective buyers who will move into the units after offering incentives for existing tenants to move out of their apartments; 2) How will the measure impact the availability in San Francisco of what many business leaders refer to as "workforce housing," or housing affordable to the middle class; 3) How might such a measure be phased in as a trial program over time, so that information on its impacts on the housing market may be assessed before it is expanded, and what types of information and processes to collection information would be necessary to assess such impacts; 4) Does this measure contain effective measures to discourage speculation, and what would such measures need to contain to effectively discourage speculation; 5) What would be the effect of allowing conversions on all buildings, regardless of size, and what are the demographic characteristics of tenant populations in different size buildings; 6) What effect would the measure have on the availability of affordable housing, especially affordable rental housing, in the City, and would it be possible to impose an affordable housing conversion fee that would adequately mitigate any potential negative impacts on this supply; 7) How does the measure deal with the question of whether tenants with lifetime leases continue to have access to and enjoyment of common areas in buildings that have been subdivided through the HOPE conversion process; 8) Does the measure contain any requirement for tenant participation beyond the simple signing of an intent to purchase, and how would the addition of provisions requiring further participation by tenants to make the subdivision effective (such as signed purchase agreements for units) affect the ability of the measure to realize its purported goals; 9) What are the potential financial benefits of this measure for owners of existing rental buildings; What would be the estimated affect of this measure on the number of rent controlled units in the City; 10) What is the possibility that any provisions of this measure will be struck down in court, and if certain provisions are struck down what would be the overall effect on the remainder of the measure.

Supervisor McGoldrick, seconded by Supervisor Gonzalez, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

020934 [Legislative Analyst Request - HOPE initiative measure]
Supervisor McGoldrick

Motion asking the Legislative Analyst to analyze the HOPE initiative measure that is on file with the Department of Elections and for which signatures are currently being collected in order to qualify it for the November 2002 ballot. Because this initiative is in many respects the same as the HOPE ordinance which your office will separately analyze, please consolidate this analysis with the analysis of the HOPE ordinance, with special attention to ways in which the initiative measure differs from the ordinance. In particular, analyze how the process for conversion of rental units to ownership units will take place under this initiative ordinance, and compare this to the process that currently is in place for conversions under Article 9 of the Subdivision code. Where the HOPE conversion process differs with the provisions of the Article 9 conversion process, please identify the function and purpose of the Article 9 section in question. In addition, please assess how this legislation changes timelines for processing applications for conversions, what affect such changes in timelines may have on the ability of City agencies in fulfilling their responsibilities under the initiative ordinance. Also, please analyze how efficiently and effectively this initiative ordinance would be in allocating among City departments the administration of the responsibilities and duties that it imposes. Please also answer the following questions:
1) Based on an analysis of other jurisdictions that have enacted similar measures, are the likely beneficiaries of such a policy existing tenants living in the units to be subdivided, or rather prospective buyers who will move into the units after offering incentives for existing tenants to move out of their apartments; 2) How will the measure impact the availability in San Francisco of what many business leaders refer to as "workforce housing," or housing affordable to the middle class; 3) How might such a measure be phased in as a trial program over time, so that information on its impacts on the housing market may be assessed before it is expanded, and what types of information and processes to collection information would be necessary to assess such impacts; 4) Does this measure contain effective measures to discourage speculation, and what would such measures need to contain to effectively discourage speculation; 5) What would be the effect of allowing conversions on all buildings, regardless of size, and what are the demographic characteristics of tenant populations in different size buildings; 6) What effect would the measure have on the availability of affordable housing, especially affordable rental housing, in the City, and would it be possible to impose an affordable housing conversion fee that would adequately mitigate any potential negative impacts on this supply; 7) How does the measure deal with the question of whether tenants with lifetime leases continue to have access to and enjoyment of common areas in buildings that have been subdivided through the HOPE conversion process; 8) Does the measure contain any requirement for tenant participation beyond the simple signing of an intent to purchase, and how would the addition of provisions requiring further participation by tenants to make the subdivision effective (such as signed purchase agreements for units) affect the ability of the measure to realize its purported goals; 9) What are the potential financial benefits of this measure for owners of existing rental buildings; What would be the estimated affect of this measure on the number of rent controlled units in the City; 10) What is the possibility that any provisions of this measure will be struck down in court, and if certain provisions are struck down what would be the overall effect on the remainder of the measure.

Supervisor Hall, seconded by Supervisor Peskin, moved to amend to add the following four items:

(1) What is the average cost in San Francisco for a single family home? According to the 2000 census, how many San Franciscans can afford this average cost?
(2) Over the last five years, what was the average sale price of multi-unit buildings in San Francisco? What was the total number of rental units in these buildings? What was the average per unit sale price? According to the 2000 census, how many San Franciscans can afford this average costs?
(3) At what level of income is financing available to tenants to purchase their own units under the HOPE legislation?
(4) Please explain the recent amendments to the state law known as Costa Hawkins. How would this amendment affect the HOPE legislation?

Supervisor Hall, seconded by Supervisor Peskin, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Supervisor Daly, seconded by Supervisor Leno, moved to further amend to add the following item:

What is the average sale price on comparable sales on condos and TIC?

Supervisor Daly, seconded by Supervisor Leno, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Motion asking the Legislative Analyst to analyze the HOPE initiative measure that is on file with the Department of Elections and for which signatures are currently being collected in order to qualify it for the November 2002 ballot. Because this initiative is in many respects the same as the HOPE ordinance which your office will separately analyze, please consolidate this analysis with the analysis of the HOPE ordinance, with special attention to ways in which the initiative measure differs from the ordinance. In particular, analyze how the process for conversion of rental units to ownership units will take place under this initiative ordinance, and compare this to the process that currently is in place for conversions under Article 9 of the Subdivision code. Where the HOPE conversion process differs with the provisions of the Article 9 conversion process, please identify the function and purpose of the Article 9 section in question. In addition, please assess how this legislation changes timelines for processing applications for conversions, what affect such changes in timelines may have on the ability of City agencies in fulfilling their responsibilities under the initiative ordinance. Also, please analyze how efficiently and effectively this initiative ordinance would be in allocating among City departments the administration of the responsibilities and duties that it imposes. Please also answer the following questions:
1) Based on an analysis of other jurisdictions that have enacted similar measures, are the likely beneficiaries of such a policy existing tenants living in the units to be subdivided, or rather prospective buyers who will move into the units after offering incentives for existing tenants to move out of their apartments; 2) How will the measure impact the availability in San Francisco of what many business leaders refer to as "workforce housing," or housing affordable to the middle class; 3) How might such a measure be phased in as a trial program over time, so that information on its impacts on the housing market may be assessed before it is expanded, and what types of information and processes to collection information would be necessary to assess such impacts; 4) Does this measure contain effective measures to discourage speculation, and what would such measures need to contain to effectively discourage speculation; 5) What would be the effect of allowing conversions on all buildings, regardless of size, and what are the demographic characteristics of tenant populations in different size buildings; 6) What effect would the measure have on the availability of affordable housing, especially affordable rental housing, in the City, and would it be possible to impose an affordable housing conversion fee that would adequately mitigate any potential negative impacts on this supply; 7) How does the measure deal with the question of whether tenants with lifetime leases continue to have access to and enjoyment of common areas in buildings that have been subdivided through the HOPE conversion process; 8) Does the measure contain any requirement for tenant participation beyond the simple signing of an intent to purchase, and how would the addition of provisions requiring further participation by tenants to make the subdivision effective (such as signed purchase agreements for units) affect the ability of the measure to realize its purported goals; 9) What are the potential financial benefits of this measure for owners of existing rental buildings; What would be the estimated affect of this measure on the number of rent controlled units in the City; 10) What is the possibility that any provisions of this measure will be struck down in court, and if certain provisions are struck down what would be the overall effect on the remainder of the measure; 11) What is the average cost in San Francisco for a single family home; According to the 2000 census, how many San Franciscans can afford this average cost; 12) Over the last five years, what was the average sale price of multi-unit buildings in San Francisco; What was the total number of rental units in these buildings; What was the average per unit sale price; According to the 2000 census, how many San Franciscans can afford this average cost; 13) At what level of income is financing available to tenants to purchase their own units under the HOPE legislation; 14) Please explain the recent amendments to the state law known as Costa Hawkins; How would this amendment affect the HOPE legislation; 15) What is the average sale price on comparable sales on condos and TIC.

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

020935 [Legislative Analyst Request]
Supervisor Gonzalez

Motion asking the Legislative Analyst to report on methodology which could be used to determine the number of motorcycles in San Francisco, both those registered in San Francisco and those registered elsewhere, and how other municipalities arrive at these numbers.

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

020936 [Legislative Analyst Request - Experience of Santa Monica with TORCA Legislation]
Supervisor McGoldrick

Motion asking the Legislative Analyst to analyze how the process for conversion of rental units to ownership units will take place under the process that would be created under this legislation, and compare this to the process that currently is in place under Article 9 of the Subdivision code. In particular, analyze how the process for conversion of rental units to ownership units will take place under this initiative ordinance, and compare this to the process that currently is in place for conversions under Article 9 of the Subdivision code. Where the HOPE conversion process differs with the provisions of the Article 9 conversion process, please identify the function and purpose of the Article 9 section in question. In addition, please assess how this legislation changes timelines for processing applications for conversions, what affect such changes in timelines may have on the ability of City agencies in fulfilling their responsibilities under the initiative ordinance. Also, please analyze how efficiently and effectively this initiative ordinance would be in allocating among City departments the administration of the responsibilities and duties that it imposes. Please also answer the following questions: 1) Based on an analysis of other jurisdiction that have enacted similar measures, are the more likely beneficiaries of such a policy existing tenants living in the units to be subdivided, or prospective buyers who will move into the units after offering incentives for existing tenants to move out of their apartments; 2) How will the measure impact the availability in San Francisco of what many business leaders refer to as "workforce housing," or housing affordable to the middle class; 3) How might such a measure be phased in as a trial program over time, so that information on its impacts on the housing market may be assessed before it is expanded, and what types of information and processes to collection information would be necessary to assess such impacts; 4) Does this measure contain effective measures to discourage speculation, and what would such measures need to contain to effectively discourage speculation; 5) What would be the effect of allowing conversions on all buildings, regardless of size, and what are the demographic characteristics of tenant populations in different size buildings; 6) What effect would the measure have on the availability of affordable housing, especially affordable rental housing, in the City, and would it be possible to impose an affordable housing conversion fee that would adequately mitigate any potential negative impacts on this supply; 7) How does the measure deal with the question of whether tenants with lifetime leases continue to have access to and enjoyment of common areas in buildings that have been subdivided through the HOPE conversion process; 8) Does the measure contain any requirement for tenant participation beyond the simple signing of an intent to purchase, and how would the addition of provisions requiring further participation by tenants to make the subdivision effective (such as signed purchase agreements for units) affect the ability of the measure to realize its purported goals; 9) What are the potential financial benefits of this measure for owners of existing rental buildings; What would be the estimated affect of this measure on the number of rent controlled units in the City; 10) What is the possibility that any provisions of this measure will be struck down in court, and if certain provisions are struck down what would be the overall effect on the remainder of the measure.

Please analyze the experience of the City of Santa Monica with legislation referred to as TORCA, the Tenants' Ownership Rights Charter Amendment, which was in effect in that City from 1984 to 1996. In particular, please analyze the degree to which this legislation increased the number of tenants purchasing the rental units in which they resided prior to conversions of their units. In addition, to the extent possible, also analyze the effect of this legislation on the number and types of conversions of units from rental to ownership while the legislation was in effect and compare this to the same data before and after the legislation was in effect. Also analyze the effect of this legislation on the number of rental units protected by Santa Monica's version of rent control. Please include any data, analysis, or reports prepared by the City of Santa Monica and its departments related to their experience with this law.

Supervisor Hall moved an amendment of the whole which incorporated the following six items:

(1) What was the range of and average of the down payments of tenants who bought their units?

(2) What was the range of and average of the purchase price for the units purchased by tenants?

(3) What are the mortgage payments of the purchasing tenants now as opposed to their rent payments prior to purchase as well as opposed to the average rent payment by non-purchasing tenants?

(4) What is the current equity increase of tenants who decided to buy in 1985?

(5) How much have tenant purchased condo values jumped since conversion?

(6) Were those tenants in a building that converted who did not purchase their units given "rent control" protection; Were they given protections against owner-move-in evictions or Ellis Act evictions; Were these protections ever challenged in court; what was the result.

President Ammiano, seconded by Supervisor Leno, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Motion asking the Legislative Analyst to analyze how the process for conversion of rental units to ownership units will take place under the process that would be created under this legislation, and compare this to the process that currently is in place under Article 9 of the Subdivision code. In particular, analyze how the process for conversion of rental units to ownership units will take place under this initiative ordinance, and compare this to the process that currently is in place for conversions under Article 9 of the Subdivision code. Where the HOPE conversion process differs with the provisions of the Article 9 conversion process, please identify the function and purpose of the Article 9 section in question. In addition, please assess how this legislation changes timelines for processing applications for conversions, what affect such changes in timelines may have on the ability of City agencies in fulfilling their responsibilities under the initiative ordinance. Also, please analyze how efficiently and effectively this initiative ordinance would be in allocating among City departments the administration of the responsibilities and duties that it imposes. Please also answer the following questions: 1) Based on an analysis of other jurisdictions that have enacted similar measures, are the more likely beneficiaries of such a policy existing tenants living in the units to be subdivided, or prospective buyers who will move into the units after offering incentives for existing tenants to move out of their apartments; 2) How will the measure impact the availability in San Francisco of what many business leaders refer to as "workforce housing," or housing affordable to the middle class; 3) How might such a measure be phased in as a trial program over time, so that information on its impacts on the housing market may be assessed before it is expanded, and what types of information and processes to collection information would be necessary to assess such impacts; 4) Does this measure contain effective measures to discourage speculation, and what would such measures need to contain to effectively discourage speculation; 5) What would be the effect of allowing conversions on all buildings, regardless of size, and what are the demographic characteristics of tenant populations in different size buildings; 6) What effect would the measure have on the availability of affordable housing, especially affordable rental housing, in the City, and would it be possible to impose an affordable housing conversion fee that would adequately mitigate any potential negative impacts on this supply; 7) How does the measure deal with the question of whether tenants with lifetime leases continue to have access to and enjoyment of common areas in buildings that have been subdivided through the HOPE conversion process; 8) Does the measure contain any requirement for tenant participation beyond the simple signing of an intent to purchase, and how would the addition of provisions requiring further participation by tenants to make the subdivision effective (such as signed purchase agreements for units) affect the ability of the measure to realize its purported goals; 9) What are the potential financial benefits of this measure for owners of existing rental buildings; What would be the estimated affect of this measure on the number of rent controlled units in the City; 10) What is the possibility that any provisions of this measure will be struck down in court, and if certain provisions are struck down what would be the overall effect on the remainder of the measure; 11) What was the range of and average of the down payments of tenants who bought their units; 12) What was the range of and average of the purchase price for the units purchased by tenants; 13) What are the mortgage payments of the purchasing tenants now as opposed to their rent payments prior to purchase as well as opposed to the average rent payment by non-purchasing tenants; 14) What is the current equity increase of tenants who decided to buy in 1985; 15) How much have tenant purchased condo values jumped since conversion; 16) Were those tenants in a building that converted who did not purchase their units given "rent control" protection; Were they given protections against owner-move-in evictions or Ellis Act evictions; Were these protections ever challenged in court; what was the result.

Please analyze the experience of the City of Santa Monica with legislation referred to as TORCA, the Tenants' Ownership Rights Charter Amendment, which was in effect in that City from 1984 to 1996. In particular, please analyze the degree to which this legislation increased the number of tenants purchasing the rental units in which they resided prior to conversions of their units. In addition, to the extent possible, also analyze the effect of this legislation on the number and types of conversions of units from rental to ownership while the legislation was in effect and compare this to the same data before and after the legislation was in effect. Also analyze the effect of this legislation on the number of rental units protected by Santa Monica's version of rent control. Please include any data, analysis, or reports prepared by the City of Santa Monica and its departments related to their experience with this law.

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

020937 **[Hope Initiative/Process for Conversion of Rental Units to Ownership]**
Supervisor McGoldrick

Motion asking the Legislative Analyst to analyze the HOPE initiative measure that is on file with the Department of Elections and for which signatures are currently being collected in order to qualify it for the November 2002 ballot. In particular, analyze how the process for conversion of rental units to ownership units will take place under this initiative ordinance, and compare this to the process that currently is in place for conversions under Article 9 conversion process. Please identify the function and purpose of the Article 9 section in question. In addition, please assess how this legislation changes timelines for processing applications for conversions, what affect such changes in timelines may have on the ability of City agencies in fulfilling their responsibilities under the initiative ordinance. Also please analyze how efficiently and effectively this initiative ordinance would be in the administration of responsibilities and duties that it imposes on City departments. Finally, please compare the provisions of the HOPE initiative with those of the related but different HOPE ordinance, File #020489, sponsored by Supervisor Hall at the Board of Supervisors.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

020917 **[Revenue Bonds - Presidio Hill School]**
Supervisor Newsom

Resolution authorizing the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $7,000,000 for the Presidio Hill School.

Resolution No. 385-02
ADOPTED

020918 **[Breast Cancer Fund Day]**
Supervisors Leno, Newsom, Maxwell, Daly, Sandoval

Resolution proclaiming June 6th, 2002 "Breast Cancer Fund Day" in the City and County of San Francisco on the 10th anniversary of the organization.

Supervisors Daly, Sandoval requested to be added as co-sponsors.

Resolution No. 386-02
ADOPTED

020919 **[Transgender Civil Rights Implementation Task Force]**
Supervisors Leno, Daly

Resolution extending the Transgender Civil Rights Implementation Task Force timeline to September 5th, 2002.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 387-02
ADOPTED

020920 **[Haight-Ashbury Street Fair]**
Supervisors Gonzalez, Daly, Leno, Sandoval, Newsom

Resolution recognizing the 25th annual Haight-Ashbury Street Fair.

Supervisors Daly, Leno, Sandoval, Newsom requested to be added as co-sponsors.

Resolution No. 388-02
ADOPTED

020921 **[Reaffirming SF Status as a City and County of Refuge and an "I.N.S. Raid-Free Zone]**
Supervisors Daly, Gonzalez, Sandoval

Resolution promoting San Francisco's commitment to ensuring that all its residents may live in safety and free from discrimination in the midst of the post-September 11 "war against terrorism," by reaffirming San Francisco's status as a City and County of Refuge, and an "I.N.S. Raid-Free Zone."

Supervisor Sandoval requested to be added as co-sponsor.

Resolution No. 389-02
ADOPTED

20922 **[Phoenix High School Relocation]**
Supervisors Ammiano, Daly, Leno, Sandoval

Resolution urging the San Francisco Board of Education to fulfill their commitment to "Excellence For All" and take action to relocate Phoenix High School to the current School of the Arts campus which is a more education-friendly and safe environment.

Supervisors Leno, Sandoval requested to be added as co-sponsors.

Resolution No. 390-02
ADOPTED

20923 **[Revenue Bonds - San Francisco Art Institute]**
Supervisors Peskin, Daly, Newsom

Resolution authorizing the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $10,000,000 for the San Francisco Art Institute.

Supervisors Daly, Newsom requested to be added as co-sponsors.

Resolution No. 391-02
ADOPTED

20925 **[Commendation for SOYAC Youth Collective]**
Supervisor Daly

Resolution commending SOYAC Youth Collective for their youth led needs assessment for the South of Market.

Resolution No. 392-02
ADOPTED

020926 **[Commending the Office of the City Attorney]**
Supervisors Ammiano, Peskin

Resolution commending the Office of the City Attorney for its continued success in defending the Minority/Women/Local Business Utilization Ordinance - IV against every legal challenge brought against it.

Supervisor Peskin requested to be added as co-sponsor.
Resolution No. 393-02
ADOPTED

020927 **[Commending September Jarrett]**
Supervisors Ammiano, Daly, Sandoval

Resolution commending Ms. September Jarrett upon her departure from dedicated service with the Low Income Housing Fund; and declaring May 28, 2002 as "September Jarrett Day" in the City and County of San Francisco.

Supervisors Daly, Sandoval requested to be added as co-sponsors.
Resolution No. 394-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

Severed from Adoption without Committee Reference Agenda

020860 **[Expressing grave concern about the recent KPIX Channel 5 news series focused on Chinese Restaurants in San Francisco]**
Supervisors Peskin, McGoldrick

Resolution expressing grave concern about negative stereotyping of Asian-American restaurants perpetuated by recent KPIX coverage and its unbalanced series on unsanitary condition inside Chinese Restaurants in San Francisco.

Supervisor Peskin requested this matter be severed so it could be considered separately.

Supervisor Peskin requested this matter be continued to June 10, 2002.
Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

020924 **[Commending the California Abortion & Reproductive Rights Action League]**
Supervisors Maxwell, Daly, Leno, Newsom, Peskin

Resolution commending the California Abortion & Reproductive Rights Action League for initiating the first ever Women of Color Reproductive Health Summit.

Supervisor Hall requested this matter be severed so it could be considered separately.

Supervisors Daly, Leno, Newsom requested to be added as co-sponsors.

Supervisor Hall requested this matter be continued to June 10, 2002.

Supervisor Hall, seconded by Supervisor Leno, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

020911 **[Agreement with AtPac to provide a retally of the ballots cast in the 11/7/00 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the 11/6/01 Consolidated Municipal Election]**

Motion requesting that the Clerk of the Board, in consultation with the Office of the Secretary of State, and the Elections Commission, enter into an agreement with AtPac to provide a retally of the ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the November 6, 2001 Consolidated Municipal Election. (Clerk of the Board)

(Fiscal impact.)

Supervisor Hall requested this matter be severed so it could be considered separately.

Supervisor Hall requested this matter be referred to committee.

REFERRED to the Rules and Audits Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

20954 **[Interim Government Funding, Fiscal Year 2002-03]**
Mayor

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fisal impact.)

6/3/02, RECEIVED AND ASSIGNED to Budget Committee.

020955 **[Interim Public Employment, Fiscal Year 2002-03]**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact.)
6/3/02, RECEIVED AND ASSIGNED to Budget Committee.

020957 **[Government Funding for Fiscal Year 2002-03]**

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fiscal impact; Companion measure to Files 020956, 020958.)
6/3/02, RECEIVED AND ASSIGNED to Budget Committee.

020958 **[Public Employment, Fiscal Year 2002-03]**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact; Companion measure to Files 020956, 020957.)
6/3/02, RECEIVED AND ASSIGNED to Budget Committee.

020966 **[Establishing controls for two newly-created zoning districts, Transit-Oriented Neighborhood Commercial (NC-T) Districts and Transit-Intensive Special Use Districts]**
Supervisor Leno

Ordinance amending the Planning Code by amending Section 121.1 to include lot size controls for Transit-Oriented Neighborhood Commercial (NC-T) Districts, amending Section 121.2 to include use size controls for NC-T Districts, amending Section 124 to include a basic floor area ratio for NC-T Districts, amending Section 135 to include open space requirements for NC-T Districts, amending Section 151 to include off-street parking requirements for NC-T and Transit-Intensive Special Use Districts, amending Section 208 to include density limits for group housing in NC-T Districts; amending Section 607.1 to regulate signs in the NC-T, and making a determination of consistency with the priority policies of Planning Code Section 101.1(B).
6/3/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 7/3/2002. 6/10/02 - Transmitted to Planning Commission for public hearing and recommendation.

020967 [Establishing controls for two newly-created zoning districts, Transit-Oriented Neighborhood Commercial (NC-T) Districts and Transit-Intensive Special Use Districts]
Supervisor Leno

Ordinance amending the Planning Code by amending Section 121.1 to include lot size controls for Transit-Oriented Neighborhood Commercial (NC-T) Districts, amending Section 121.2 to include use size controls for NC-T Districts, amending Section 124 to include a basic floor area ratio for NC-T Districts, amending Section 135 to include open space requirements for NC-T Districts, amending Section 151 to include off-street parking requirements for NC-T and Transit-Intensive Special Use Districts, amending Section 208 to include density limits for group housing in NC-T Districts; amending Section 607.1 to regulate signs in the NC-T, and making a determination of consistency with the priority policies of Planning Code Section 101.1(B).
6/3/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 7/3/2002. 6/10/02 - Transmitted to Planning Commission for public hearing and recommendation.

20968 [Bicycle Advisory Committee]
Supervisor Gonzalez

Ordinance (1) amending Sections 5.130 and 5.131 of the San Francisco Administrative Code to (i) provide that each member of the Board of Supervisors shall nominate one person for appointment to the Bicycle Advisory Committee by the Board of Supervisors, (ii) require that the Bicycle Advisory Committee inform the Board of Supervisors of the committee's diversity with respect to age, ethnicity, gender, disability and sexual orientation; (iii) change the term of members of the Bicycle Advisory Committee from three years to two years, or the remaining tenure of the nominating supervisor, whichever is shorter in duration, and (iv) provide for the removal of members of the Bicycle Advisory Committee; and (2) removing all current members of the Bicycle Advisory Committee and requiring new appointments thereto in accordance with Section 5.130 of the San Francisco Administrative Code, as amended by this ordinance.
6/3/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

20969 [Prohibition on Use of Public Funds for Greeting Cards]
Supervisor Daly

Ordinance amending Chapter 4 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding a new section 3.405 to prohibit the use of City funds to produce or mail greeting cards.
6/3/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 7/3/2002.

20970 [Prohibition on Receipt of Gifts]
Supervisor Daly

Ordinance amending San Francisco Campaign and Government Conduct Code, Article III: Conduct of Government Officials and Employees, by adding a new Chapter 8: Gifts, and a new Section 3.800 to prohibit elected City officials from receiving any gifts, as defined in State Law.
6/3/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 7/3/2002.

020971 **[Amending Residential Rent Stabilization and Arbitration Ordinance]**
Supervisor Gonzalez

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37), by amending Sections 37.2, 37.3, 37.8, 37.9, 37.9B, and 37.11A, to: clarify the definition of rental units to include units regardless of zoning or legal status; provide that parking or storage or similar facilities on the same lot may not be severed by the landlord without just cause or tenant consent, except where necessitated by serious landlord hardship or circumstances beyond the landlord's control; extend coverage of the ordinance to non-tourist tenancies in residential hotels by eliminating the 32-day residency requirement for those tenancies; limit imposition of banked rent increases to 8% per year and require more specific notice; require more specific notice for rent increases authorized under California Civil Code Sections 1954.50 et seq., and require a rent arbitration hearing for certain increases not authorized by Civil Code Sections 1954.50 et seq.; prohibit rent increases or evictions solely for additional occupants, where the total number of occupants is within Housing Code occupancy limits; expand the statute of limitations from three years to five years from discovery, for refunds of rent overpayments due to null and void rent increases; clarify that all endeavors to recover possession for just cause under Section 37.9(a), must be in good faith without ulterior motive and with honest intent; require relocation expenses of $2,000 for each authorized occupant (including any minor child) who has lived in a unit for 12 months as of the time of vacation of the unit, where the unit is to be demolished or otherwise permanently removed from housing use, or where the tenant must relocate due to capital improvements or substantial rehabilitation work or an owner-move-in eviction, with one-half paid upon notice and one-half paid within 72 hours after vacation of the unit, and with these amounts to be increased annually according to the rate of increase in the "Rent of Primary Residence" expenditure category of the Consumer Price Index (CPI); provide that a tenant's civil action against a landlord for abridgement of rights under this Chapter may also be brought against the landlord's successor in interest; certain technical corrections to conform numbering to prior Chapter 37 amendments; and, amending San Francisco Housing Code Chapter 5, Section 503(b) to make a technical correction, and amending San Francisco Housing Code Chapter 5, Section 503(d), to clarify that the protections of that Section extend to all persons by deleting the references to "families," to clarify that the Section promotes affordable housing, and to clarify that the Section protects prospective and current tenants.
6/3/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

020972 **[Designation of the Dogpatch Historic District]**
Supervisor Maxwell

Ordinance amending Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
6/3/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee. 6/10/02 - Transmitted to Planning Commission for public hearing and recommendation.

020996 **[MOU Building Inspectors Association (Class 6334)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Building Inspectors' Association (Class 6334) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)
6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

020997 **[MOU, Automotive Machinists Union, Local 1414]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Automotive Machinists, Local 1414 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

020998 **[MOU, Bricklayers, Local 3]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3 and Hodcarriers, Local 36 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

020999 **[MOU, Building Inspectors Association (Class 6331, 6333)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Building Inspectors' Association (Class 6331, Class 6333) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

21000 **[MOU, Carpenters, Local 22]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Carpenters, Local 22 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021001 **[MOU, Cement Masons, Local 580]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Cement Masons, Local 580 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations.

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021002 **[MOU, Deputy Probation Officers Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021003 **[MOU, Deputy Sheriff's Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Deputy Sheriffs' Association of San Francisco, Inc. by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021004 **[MOU, District Attorney Investigators Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco District Attorney Investigators Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021005 **[MOU, Electrical Workers, Local 6]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, American Federation of Labor, by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021006 **[MOU, Firefighters, Local 798 (Unit 1)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit I by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021007 **[MOU, Firefighters, Local 798 (Unit II)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit II by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

21008 **[MOU, Glaziers, Local 718]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers, Local 718, by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021009 **[MOU, Hod Carriers, Local 36]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Hod Carriers, Local 36, by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021010 **[MOU, Institutional Police Officers Association]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021011 **[MOU, IATSE, Local 16]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees, Local 16 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021012 **[MOU, Ironworkers, Local 377]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Association of Bridge, Structural Ornamental, Reinforced Iron Workers, Riggers and Machinery Movers, Local 377 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021013 **[MOU, Laborers Union, Local 261]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Laborers International Union, Local 261 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021014 **[MOU, Municipal Attorneys' Association]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Municipal Attorneys' Association of San Francisco by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021015 **[MOU, Municipal Executives' Association (Misc)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Misc.) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021016 **[MOU, Municipal Executives' Association (Police)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Police Management) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021017 **[MOU, Municipal Executives' Association (Fire)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Fire Management) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations.

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021018 **[MOU, Pile Drivers, Local 34]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local 34 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021019 **[MOU, Plasterers, Local 66]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Plasterers' and Shophands', Local 66 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021020 **[MOU, Operating Engineers, Local 3]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021021 **[MOU, Painters Union, Local 4]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Painters Union District Council #8 for Local 4 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021022 **[MOU, Plumbers, Local 38]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local #38 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021023 **[MOU, Police Officers Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021024 **[MOU, IFPTE, Local 21]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21 AFL-CIO by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021025 **[MOU, Roofers, Local 40]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021026 **[Union of American Physicians and Dentists (Unit 11-AA)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021027 **[MOU, Sheet Metal Workers, Local 104]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021028 **[MOU, Amendment No. 2, IFPTE, Local 21]**

Supervisor Daly

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21 AFL-CIO and the City and County of San Francisco pursuant to an arbitration award providing for a wage adjustment for employees assigned to classification 5212 (Principal Engineer), administrative leave for employees assigned to classification 5212 (Principal Engineer), and reimbursement of certain benefits no longer available to employees assigned to classifications 1888 (Resource Efficiency and Energy Conservation Manager), 2978 (Contract Compliance Officer II), 5212 (Principal Engineer), and 9386 (Senior Property Manager, Port), effective July 1, 2002. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021029 **[MOU, Sanitary Truck Drivers and Helpers, Teamsters, Local 350]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Sanitary Truck Drivers and Helpers, Teamsters, Local 350 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021030 **[MOU, Stationary Engineers, Local 39]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021031 **[MOU, Supervising Probation Officers Association]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Operating Engineers, Local 3 Bargaining for Supervising Probation Officers by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021032 **[MOU, Supervising Registered Nurses, Teamsters Local 856]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters Local 856 for Supervising Nurses by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021033 **[MOU, Teamsters, Local 853]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters, Local 853 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021034 **[MOU, Teamsters, Local 856 (Multi-Unit)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021035 **[MOU, Transport Workers Union, Local 200 (SEAM)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 200 (SEAM) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021036 **[MOU, Transport Workers Union , Local 250-A (7410)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 250-A (7410's) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021037 **[MOU, Transport Workers Union, Local 250-A (Misc.)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 250-A (Misc.) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

021038 **[MOU, Union of American Physicians and Dentists (Unit 8-CC)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

6/3/02, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

20973 **[Sale of Low Cost Water-Efficient Toilets]**
Supervisor Yee

Resolution announcing the final sale this year of low-cost water-efficient toilets to San Francisco residents, to be held in the Sunset District.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

20974 **[Installing Traffic Signals at California and Stockton Streets]**
Supervisor Peskin

Resolution urging the installation of traffic signals at the intersection of California and Stockton Streets.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

0975 **[Supporting Long Term Placement of Bay Center at Shed A of Pier 45]**
Supervisors Peskin, Hall, Newsom

Resolution supporting the long-term placement of The Bay Center at Shed A of Pier 45 in San Francisco.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020976 **[Asthma Task Force Timeline Extension]**
Supervisor Maxwell

Resolution extending the Asthma Task Force timeline to February 28, 2003.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020977 **[Commendation]**
Supervisors Maxwell, Peskin

Resolution commending the recognition of the Juneteenth Festival.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020978 **[Initiating the Designation of the Dogpatch Historic District]**
Supervisors Maxwell, Leno, Peskin

Resolution initiating the designation of the Dogpatch Historic District pursuant to Section 1004.1 of the Planning Code.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020979 **[Urging Passage of AB 2216]**
Supervisor Leno

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign, AB 2216 providing domestic partners with rights regarding intestate succession.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020980 **[Urging Passage of the California Affordable Quantity and Quality Water Act]**
Supervisor Leno

Resolution urging the U.S. Congress to adopt and President Bush to sign Senator Barbara Boxer's California Affordable Quantity and Quality Water Act (CAL-AQQWA).
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020981 **[Musee Mecanique]**
Supervisors Hall, Peskin, Newsom

Resolution urging the Port of San Francisco to sign an agreement with The San Francisco Museum and Historical Society for the interim use of a portion of Shed A at Pier 45 by the Musee Mecanique until a long term tenant is prepared to occupy the space.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020982 [Commending the SFFD Neighborhood Emergency Response Team]
Supervisors Sandoval, Newsom

Resolution commending the San Francisco Fire Department Neighborhood Emergency Response Team for implementing the first earthquake preparedness pilot program.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020983 [Commending the 26th Annual Penny Pitch]
Supervisor Daly

Resolution commending 26th Annual Penny Pitch for 25 years of service to the community of San Francisco and their dedication to supporting the St. Anthony Foundation.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

020956 [Annual Budget, Fiscal Year 2002-03]
Mayor

Hearing to consider the Annual Budget for Fiscal Year 2002-03. (Mayor)

(Companion measure to Files 020957, 020958, 020959, 020960, 09061.)
6/3/02, RECEIVED AND ASSIGNED to Budget Committee. See Files 020959, 020960, 020961 for departmental hearings.

020959 [Budget Hearing and Review, FY 2002-03]
Hearing to consider the Annual Budget for General Administration and Finance; Public Protection.

(General Administration and Finance: Administrative Services; Assessor/Recorder; Board of Supervisors; City Attorney; Controller; City Planning; Civil Service Commission; Ethics Commission; Human Resources; Mayor; Administrative Services-Office of Contract Administration; Elections; Retirement System; Treasurer/Tax Collector; General City Responsibility; General Fund Unallocated.)

(Public Protection: Adult Probation; Administrative Services-Consumer Assurance; Administrative Services-Animal Care and Control; Administrative Services-Medical Examiner; Trial Courts; District Attorney; Fire Department; Juvenile Probation; Public Defender; Police; Sheriff; Taxi Commission.)
6/3/02, RECEIVED AND ASSIGNED to Budget Committee. Scheduled for consideration on June 18 and June 25, 2002, at 1:00pm.

020960 **[Budget Hearing and Review, FY 2002-2003]**
Hearing to consider the Annual Budget for Human Welfare and Neighborhood Development; Community Health.

(Human Welfare and Neighborhood Development: Adult and Aging Services; Children, Youth & Their Families; Child Support Services; Human Services; Environment; Human Rights Commission; Rent Arbitration Board; Department on the Status of Women.)

(Community Health - Department of Public Health: Public Health-Community Health Network; Public Health-Public Health.)

(Companion to File 020956.)
6/3/02, RECEIVED AND ASSIGNED to Budget Committee. Scheduled for consideration on June 19 and June 26, 2002, at 1:00PM.

020961 **[Budget Hearing and Review, FY 2002-0223]**
Hearing to consider the Annual Budget for Culture and Recreation; Public Works, Transportation and Commerce.

(Culture and Recreation: Asian Art Museum; Art Commission; Administrative Services-Convention Facilities; Fine Arts Museum; Public Library; Law Library; Recreation and Park Department; Academy of Sciences; County Education Office; War Memorial.)

(Public Works, Transportation and Commerce: Airport; Clean Water; Building Inspection; Municipal Transportation Agency (MUNI); Emergency Communications Department; Business & Economic Development; Hetch Hetchy; Light, Heat and Power; Board of Appeals; Port; Municipal Transportation Agency (Parking and Traffic); Public Utilities Commission; Telecommunications & Information Services; Water Department; Department of Public Works; Capital Projects; Redevelopment Agency.)

(Companion to File 020956.)
6/3/02, RECEIVED AND ASSIGNED to Budget Committee. Scheduled for consideration on June 20 and June 27, 2002 at 1:00pm.

020984 **[Balboa Reservoir Land Transfer]**
Supervisor Sandoval

Hearing to explore land use issues related to the transfer of land between City College of San Francisco and the San Francisco Public Utilities Commission at the Balboa Reservoir.
6/3/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee. Sponsor requests this item be scheduled for consideration at the July 25, 2002 meeting.

020985 **[Lead Abatement]**
Supervisor Daly

Hearing to consider the report of the Recreation and Park Department regarding the Quarterly Report concerning lead abatement, pursuant to Board Resolution 157-99.
6/3/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

020986 **[Small Schools]**
Supervisor Ammiano

Hearing on small schools to be heard in the Joint City and School District Committee.
6/3/02, RECEIVED AND ASSIGNED to City and School District Committee. Sponsor requests this item be scheduled for consideration at the June 19, 2002 meeting.

Motions

020965 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
6/3/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

20888 **[Charter Amendment - Assistance to Elections Department]**
Supervisor Ammiano

Charter amendment (Second Draft) to amend section 13.104.5 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguisable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waive, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; and specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/3/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing new title.

6/3/02, ASSIGNED to Rules and Audits Committee.

ntroduced by the President at the Request of Departments

ROPOSED ORDINANCES

012186 **[Regulation of Diesel Backup Generators]**
Supervisor Maxwell

Ordinance amending the San Francisco Health Code by adding a new Article 30 to: (1) establish a registration program within the Department of Public Health for diesel backup generators used by facilities in the City and County of San Francisco; (2) require new backup diesel generators to have air emission control technologies; (3) limit the operation of diesel backup generators during non-emergency situations; (4) establish a recordkeeping requirement for the operation of diesel backup generators; and (5) provide for an enforcement mechanism for violations of the requirements of this Ordinance.

12/10/01, ASSIGNED UNDER 30 DAY RULE to Public Health and Environment Committee, expires on 1/9/2002.

1/28/02, TRANSFERRED to Health and Human Services Committee. New Committee Structure 2/1/02.

2/4/02, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing same title.

2/4/02, ASSIGNED to Health and Human Services Committee.

4/15/02, RE-REFERRED to Health and Human Services Committee.

5/28/02, SUBSTITUTED. Supervisor Maxell submitted a substitute ordinance bearing same title.

5/28/02, ASSIGNED to Health and Human Services Committee.

020904 **[Water Rates]**

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco. (Public Utilities Commission)

(Submitted 5/22/02. Charter Section 2.109 requires Board of Supervisors approval or rejection within thirty days.)

5/22/02, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

020811 **[Contracting Out Own Recognizance, Pretrial Diversion, and Misdemeanant Services]**
Supervisor Hall

Resolution approving the Controller's certification that own recognizance release, pretrial court diversion, and supervised misdemeanant services provided to arrested persons in the City and County of San Francisco can be practically performed by private contractors at a lower cost for the year commencing July 1, 2002 than if work were performed by City and County employees. (Sheriff)

5/28/02, RECEIVED AND ASSIGNED to Finance Committee.

020812 **[Emergency work to replace curved tracks on Muni Metro L-line at 15th Avenue/Taraval Street, 15th Avenue/Ulloa Street, and the Zoo Loop]**
Supervisor Hall

Resolution approving emergency work for the San Francisco Municipal Transportion Agency to replace curved tracks on the Muni Metro Muni Metro L-Line at 15th Avenue and Taraval Street, 15th Avenue and Ulloa Street, and the Zoo Loop. (Municipal Transportation Agency)

Public Benefit Recipient

5/14/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

020906 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Noe Street between the driveways for addresses #334 and #338 (seven-foot space, accommodating two motorcycles).

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Treat Avenue west side, between 25th and 26th Streets (1200 block), and
25th Street, both sides, between Folsom Street and Treat Avenue (addresses 3166 - 3199 only).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Shrader Street, both sides, between Grattan Street and Parnassus Avenue (1100 block). (Parking and Traffic Department)

(DPT Order No. 2435.)
(5/20/02 Categorically Exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in use of the street.)
5/22/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

020907 [Traffic Regulations]
Supervisors Newsom, Daly

Resolution enacting and rescinding traffic regulations on various streets.

TRIAL STREET CLOSURE - ESTABLISH
Lyon Street between Richardson Avenue and Francisco Street.

STREET CLOSURE - ESTABLISH
Lyon Street between Richardson Avenue and Francisco Streets.

NO RIGHT TURNS - ESTABLISH
Richardson Avenue, southbound, at Francisco Street.

RIGHT TURN ONLY, 7 AM - 9 AM AND 3 PM - 6 PM, SCHOOL DAYS - ESTABLISH
Hickory Street, eastbound, at Gough Street.

LEFT TURN ONLY, 7 AM - 9 AM AND 3 PM - 6 PM, SCHOOL DAYS - ESTABLISH
Hickory Street, eastbound, at Franklin Street (adding one hour to already established afternoon hours).

NO LEFT TURN, 11 AM - 7 PM DAILY - ESTABLISH
25th Avenue, northbound, at Geary Boulevard.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Ocean Avenue, south side, from Sunset Boulevard to 20 feet westerly.

STOP SIGNS - ESTABLISH
Amazon Avenue and London Street, stopping Amazon Avenue at London Street, making this intersection an all-way STOP.

STOP SIGNS - ESTABLISH
Cesar Chavez and Diamond Streets, stopping Cesar Chavez Street at Diamond Street, making this uncontrolled intersection a two-way STOP.

STOP SIGNS - ESTABLISH
Brannan and Delancey Streets, stopping Brannan Street at Delancey Street, making this two-way controlled intersection an all-way STOP.

STOP SIGNS - ESTABLISH
Farragut and Huron Avenues, stopping Farragut Avenue at Huron Avenue, making this intersection an all-way STOP.

STOP SIGNS - ESTABLISH
17th Avenue and Rivera Street, stopping Rivera Street at 17th Avenue, making this intersection an all-way STOP. (Parking and Traffic Department)

(DPT Order No. 2435.)
(5/20/02 Categorically Exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in use of the street.)
5/22/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.
Supervisor Newsom requested to be added as sponsor.

Requests Granted

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To draft language that will extend the life of the Single Room Occupancy Task Force.

From: Supervisor Leno
To: City Attorney
Requesting/Inquiring: To draft an ordinance to regulate the sale of Nicotine, in all its forms, to minors. This legislation will specifically address the new liquid Nicotine products to be sold this summer in stores available to minors.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To respond to "Open Letter to the Board of Supervisors" concerning the development of a Hastings garage. Specifically, to advise on the feasibility of affirmative litigation against the Board of Trustees of UC Hastings. (See attachment)

From: Supervisor Daly
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To submit a listing in electronic form of "Y" Residential Parking Permits from the Department of Parking and Traffic of the names and addresses of the current holders for the purposes of official communication.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft legislation to ban motorized scooters from San Francisco sidewalks.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To investigate the legality of placing adhesive advertisements on City sidewalks. Specifically, to advise on whether advertisements from liquor companies placed on South of Market sidewalks are legal and appropriate.

From: Supervisor Daly
To: City Attorney
To: Controller
Requesting/Inquiring: That the City Attorney and Controller report on the legal requirements and costs of publishing annual reports, specifically, to comment on the feasibility of requiring publication on the Internet to reduce the cost, and expand the availability of these reports. If appropriate, draft legislation to require this change and estimate the cost benefit.

From: Supervisor Sandoval
To: Tax Collector
Requesting/Inquiring: To work with the Commission on the Aging and the Office of Supervisor Sandoval to come up with a list of important contact numbers for senior services to be mailed out with the annual tax bill.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft legislation which would amend Administrative Code Chapter 85.6, and allow for designated parking in City administered garages for electric and clean air vehicles, including but not limited to the allocation of additional vehicle charging stations and the means of enforcement, concurrent with existing state regulation.

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft legislation establishing a Planning Audit Implementation Advisory Group. This group, appointed by the Board of Supervisors, will advise both the Board of Supervisors and the Planning Department on the best ways to implement the recommendations of the Budget Analyst's recently completed Performance Audit of the Department of Planning. Among the charges of the group will be to advise how to best implement a true long-range community planning process that will fulfill this important mission of the Department of Planning. This working group will represent stakeholders from different communities affected by planning in our City and should consist of from seven to nine members.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Irene Singleton (Supervisor Peskin)
Juliette Williamson (Supervisor Daly)
Charles Bovone (Supervisor Hall)
Timothy McSweeney (Supervisor Hall)
Lefefeisefa'alavelava Toeaina (Supervisor Maxwell)
Gladys Hongisto (Board of Supervisors)
Phyllis Breslin (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 6:40 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 5, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

'02

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
NOV - 1 2002
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Monday, June 10, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Ammiano	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 23

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Leland Y. Yee.

Members Absent: Tony Hall, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Hall, Maxwell, Sandoval - 3.

Quorum present.

Supervisor Maxwell was noted present at 2:08 p.m.

Supervisor Hall excused. (See infra)

Supervisor Sandoval excused. (See infra)

Supervisors Hall and Sandoval Excused from Attendance

Supervisor Leno, seconded by Supervisor Daly, moved to excuse Supervisors Hall and Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Daly, moved to approve the April 8, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Peskin, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

Introduction of Guests

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to John Gray, Deputy Sheriff.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

Supervisor Newsom indicated that File Nos. 020774, 020775, 020776, and 020777 be continued to June 17, 2002. (See infra)

Supervisor Yee indicated that File No. 020546 be continued to June 24, 2002. (See infra)

CONSENT AGENDA

Recommendations of the Finance Committee

012027 **[Appropriation - Airport Commission Airline Passenger Facility Charge (PFC2) Revenue]**
Ordinance appropriating $18,800,000 of Passenger Facility Charge (PFC2) revenue to fund the cost of the principal and interest on bonds issued for certain eligible costs associated with the development of the new international terminal complex at the Airport Commission for fiscal year 2001-02. (Controller)

(Fiscal impact.)

Ordinance No. 95-02
FINALLY PASSED

020535 **[Unrepresented Employees]**
Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2002. (Mayor)

(Fiscal impact.)

Ordinance No. 96-02
FINALLY PASSED

Recommendations of the Rules and Audits Committee

020757 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Imogene Jones against the City and County of San Francisco for $70,000; the lawsuit was filed on April 10, 2001 in the United States District Court, Case No. C01-1405 WHA; entitled Imogene Jones, v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

020760 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the Environmental Law Foundation against Nibco, Inc. for $83,000; the lawsuit was filed on December 28, 1999 in the Superior Court of California for the City and County of San Francisco, CASE NO. 308832; The People of the State of California by and through San Francisco City Attorney DENNIS J. HERRERA, et al., V. Matco-Norca, et al.; other material terms of said settlement are: (1) Within 60 days from the entry of the Consent Judgment, Nibco shall provide a Proposition 65 "hang tag" or adhesive warning sign securely affixed on all brass water shut off valves it manufactures or distributes and intended for sale or use in California whose American National Standard/NSF International Standard 61, Section 8 test results for lead leached into water is greater than 5 micrograms per liter; (2) Nibco shall meet certain lead reduction targets for certain water shut off valves manufactured or distributed by Nibco that are intended for sale or use in California; (3) Within 60 days following the end of each targeted period, Nibco shall submit to the Environmental Law Foundation test result showing that the specific valves set forth in the lead reduction target that are sold or used in California meet the lead reduction level required and a certification that Nibco has not and will not offer for sale or use in California valves that do not comply with the lead reduction target. (City Attorney)

PASSED, ON FIRST READING

020825 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Marvin Sexton, Jr. against the City and County of San Francisco for $76,000; the lawsuit was filed on November 15, 2000 in United States District Court, Northern District of California, Case No. C 01-0930 WHA; entitled Marvin Sexton, Jr., v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

020788 **[Appointing Shirley Breyer Black to the MTA Board of Directors]**
Mayor, Supervisor Newsom

Resolution confirming the appointment of Shirley Breyer Black to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2006. (Mayor)

Supervisor Newsom requested to be added as co-sponsor.
Resolution No. 398-02
ADOPTED

020789 **[Appointing Rev. Dr. James McCray, Jr. to the MTA Board of Directors]**
Mayor, Supervisor Newsom

Resolution confirming the appointment of Rev. Dr. James McCray, Jr. to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2006. (Mayor)

Supervisor Newsom requested to be added as co-sponsor.
Resolution No. 399-02
ADOPTED

020876 [Appointment]

Resolution appointing Daniel A. Tobin, term ending July 1, 2004, and John J. Malloy, Robert Dupire Nelson, Timothy C. Downs, and Carlos R. Soto, terms ending July 1, 2005, to the City-Wide Alcoholism Advisory Board.

John J. Malloy, succeeding himself, term expired, seat 1, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Robert Dupire Nelson, succeeding himself, term expired, seat 3, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Timothy C. Downs, succeeding himself, term expired, seat 4, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Carlos R. Soto, succeeding himself, term expired, seat 5, must have professional, research, or personal interest in alcoholism, for new three-year term ending July 1, 2005;
Daniel A. Tobin, succeeding Douglas Bias, resigned, seat 9, must have professional, research, or personal interest in alcoholism, for the unexpired portion of a 3 year term ending July 1, 2004.

Resolution No. 401-02
ADOPTED

020877 [Appointment]

Resolution appointing Richard Nizzardini, term ending January 31, 2004, and Dorothy Shafer, term ending January 31, 2003, to the Mental Health Board.

Richard Nizzardini, succeeding Alex Kitzes, resigned, seat 15, must be a health professional for the unexpired portion of a three-year term ending January 31, 2004;
Dorothy Shaffer, succeeding Chester Villalba, resigned, seat 16, must be a family member, for the unexpired portion of a three-year term ending January 31, 2003.

Resolution No. 402-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of Rules and Audits Committee

020412 **[City to Pay for Postage of Absentee Ballots]**
Supervisors Daly, Sandoval, Leno, Newsom

Ordinance amending the Municipal Elections Code to require that San Francisco pay for postage of absentee ballots cast by San Francisco voters.

(Fiscal impact.)

Supervisor Newsom requested to be added as co-sponsor.
PASSED, ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Absent: 3 - Hall, Sandoval, Yee

NEW BUSINESS

Recommendations of the Finance Committee

020707 **[Appropriating Funding for the District Attorney's Salaries and Fringes from the Reserve for Hanlon Arbitration Award]**
Supervisor Daly

Ordinance appropriating $283,764 from the Reserve for Hanlon Arbitration Award to cover salaries and fringes associated with the MOU with the Municipal Attorney's Association for the District Attorney's Office for fiscal year 2001-02. (Controller)

(Fiscal impact.)

Supervisor Daly requested to be added as sponsor.
PASSED, ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Absent: 3 - Hall, Sandoval, Yee

020834 **[License Agreement with American Society of Composers, Authors and Publishers]**
Supervisor Daly

Ordinance authorizing the Director of Administrative Services to enter into the Local Government Licensing Agreement negotiated between the International Municipal Lawyers' Association and the American Society of Composers, Authors and Publishers to license music uses by the City under an license subject to automatic annual renewal for an annual Base License Fee plus 1% of revenue from events in which gross revenue exceeds $25,000. (Administrative Services Department)

Supervisor Daly requested to be added as sponsor.
PASSED, ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Absent: 3 - Hall, Sandoval, Yee

020904 [Water Rates]

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco. (Public Utilities Commission)

(Submitted 5/22/02. Charter Section 2.109 requires Board of Supervisors approval or rejection within thirty days.)

PASSED, ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Absent: 3 - Hall, Sandoval, Yee

020905 [Approval of Contract Assignment and Release of Reserved Funds]
Supervisor Peskin

Ordinance approving the assignment of existing contract for program management and construction management services in support of the San Francisco Public Utilities Commission's water power and sewer Capital Improvement Program to a joint venture consisting of Jacobs Civil, Inc. and Primus Industries, Inc., and releasing reserved funds.

(Fiscal impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

020634 [Japan Center Garage Public Parking Lease]

Resolution approving the proposed new Japan Center Garage Public Parking Lease by and between the City and County of San Francisco and the City of San Francisco Japan Center Garage Corporation, effective July 1, 2002. (Parking and Traffic Department)

Supervisor Gonzalez requested the resolution be amended to request that the department provide a progress report in 18 months (amendment of the whole bearing the same title).

Supervisor Gonzalez, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

Resolution No. 396-02

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

Recommendation of the Neighborhood Services and Recreation Committee

020477 **[Liquor License Transfer, 566 Minnesota Street]**

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license to Daniel P. Kahn for Competition Close Outs Inc. dba "The Bargain Bank" from 601 Indiana Street to 566 Minnesota Street (District 10), will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 395-02

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

From Neighborhood Services and Recreation Committee Without Recommendation

020546 **[SFUSD to Offer Students Neighborhood School Facilities]**
Supervisor Yee

Resolution urging the San Francisco Unified School District (SFUSD) to provide adequate facilities to accommodate all public school enrollees sufficient school space in their neighborhoods.

Supervisor Yee requested this matter be continued to June 24, 2002.

Supervisor Yee, seconded by Supervisor Newsom, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

SPECIAL ORDER 3:00 P.M.

020774 **[Public Hearing - Appeal, Conditional Use, 3224-3252 Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16372 dated April 11, 2002, approving Conditional Use Application No. 2001.1027CR to install and operate a total of six antennas on a replacement light pole and related equipment cabinets on an interior wall of the City-owned Marina Off-Street Parking Garage, within an NC-2 (Small Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code; and adopting a finding of consistency with the General Plan for the proposed project located at: 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets; Lots 009, 010, 011, 012 and 013, in Assessor's Block 0490.

(Appeal filed May 13, 2002; categorically exempt from the environmental review process pursuant to exemption Classes 1, 3 and 11 of Title 14 of the California Administrative Code; Case No. 2001.3252CR; companion measure to Files 020774, 020775, 020776, 020777; District 2.)

Supervisor Newsom requested this matter be continued to June 17, 2002.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

020775 **[Appeal, Conditional Use, 3224-3252 Pierce Street]**

Motion approving decision of the Planning Commission by its Motion No. 16372, approving Conditional Use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Newsom requested this matter be continued to June 17, 2002.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

020776 **[Appeal, Conditional Use, 3224-3252 Pierce Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16372, approving Conditional Use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Supervisor Newsom requested this matter be continued to June 17, 2002.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

020777 **[Findings - 3224-3252 Pierce Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Newsom requested this matter be continued to June 17, 2002.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

PUBLIC COMMENT

Male speaker, homelessness;
James Chaffee, San Francisco Public Library;
Female speaker, tennis club;
Male speaker, democracy;
Jack Dotson, funding absentee ballots;
Daisy Lee, Moonstar Restaurant, KPLX story.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

020924 **[Commending the California Abortion & Reproductive Rights Action League]**
Supervisors Maxwell, Daly, Leno, Newsom, Peskin

Resolution commending the California Abortion & Reproductive Rights Action League for initiating the first ever Women of Color Reproductive Health Summit.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 404-02
ADOPTED

020973 **[Sale of Low Cost Water-Efficient Toilets]**
Supervisor Yee

Resolution announcing the final sale this year of low-cost water-efficient toilets to San Francisco residents, to be held in the Sunset District.

Resolution No. 405-02
ADOPTED

020974 **[Installing Traffic Signals at California and Stockton Streets]**
Supervisor Peskin

Resolution urging the installation of traffic signals at the intersection of California and Stockton Streets.

Resolution No. 406-02
ADOPTED

020975 **[Supporting Long Term Placement of Bay Center at Shed A of Pier 45]**
Supervisors Peskin, Hall, Newsom

Resolution supporting the long-term placement of The Bay Center at Shed A of Pier 45 in San Francisco.

Resolution No. 414-02
ADOPTED

020976 **[Asthma Task Force Timeline Extension]**
Supervisor Maxwell

Resolution extending the Asthma Task Force timeline to February 28, 2003.

Resolution No. 407-02
ADOPTED

020977 **[Commendation]**
Supervisors Maxwell, Peskin

Resolution commending the recognition of the Juneteenth Festival.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 408-02
ADOPTED

020978 **[Initiating the Designation of the Dogpatch Historic District]**
Supervisors Maxwell, Leno, Peskin

Resolution initiating the designation of the Dogpatch Historic District pursuant to Section 1004.1 of the Planning Code.

Resolution No. 409-02
ADOPTED

020979 **[Urging Passage of AB 2216]**
Supervisor Leno

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign, AB 2216 providing domestic partners with rights regarding intestate succession.

Resolution No. 410-02
ADOPTED

020980 **[Urging Passage of the California Affordable Quantity and Quality Water Act]**
Supervisor Leno

Resolution urging the U.S. Congress to adopt and President Bush to sign Senator Barbara Boxer's California Affordable Quantity and Quality Water Act (CAL-AQQWA).

Resolution No. 411-02
ADOPTED

020981 **[Musee Mecanique]**
Supervisors Hall, Peskin, Newsom

Resolution urging the Port of San Francisco to sign an agreement with The San Francisco Museum and Historical Society for the interim use of a portion of Shed A at Pier 45 by the Musee Mecanique until a long term tenant is prepared to occupy the space.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 415-02
ADOPTED

020982 **[Commending the SFFD Neighborhood Emergency Response Team]**
Supervisors Sandoval, Newsom

Resolution commending the San Francisco Fire Department Neighborhood Emergency Response Team for implementing the first earthquake preparedness pilot program.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 412-02
ADOPTED

020983 **[Commending the 26th Annual Penny Pitch]**
Supervisor Daly

Resolution commending 26th Annual Penny Pitch for 25 years of service to the community of San Francisco and their dedication to supporting the St. Anthony Foundation.

Resolution No. 413-02
ADOPTED

020965 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M02-85
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Yee
Absent: 3 - Hall, Maxwell, Sandoval

Severed From For Adoption Without Committee Reference Agenda

020860 **[Expressing grave concern about the recent KPIX Channel 5 news series focused on Chinese Restaurants in San Francisco]**
Supervisors Peskin, McGoldrick

Resolution expressing grave concern about negative stereotyping of Asian-American restaurants perpetuated by recent KPIX coverage and its unbalanced series on unsanitary condition inside Chinese Restaurants in San Francisco.

Supervisor Peskin requested this matter be severed so it could be considered separately.

Supervisor Peskin requested this matter be continued to June 24, 2002.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or the Mayor

Ordinances

021067 **[Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection]**
Supervisors Peskin, Newsom

Ordinance amending Public Works Code Sections 724 through 724.9 concerning street space occupancy permits to modify the fee collection structure, provide for fee refunds, assess right-of-way occupancy costs, establish minimum notice requirements, and impose other related procedures; amending Traffic Code Section 33.1A to replace existing provisions concerning special parking restrictions with a requirement that the Department of Parking and Traffic and Department of Public Works coordinate jurisdictional activities over street space occupancy permits; and amending the Administrative Code to add Section 10.100-231 to establish the Public Works Street Use Fund.

021068 **[Rescinding appropriation authority for Airport capital projects, and appropriate funding for capital projects]**
Supervisor Peskin

Ordinance rescinding $1,087,448,058 of unencumbered appropriation authority for airport capital projects and appropriating $326,341,870 in fund equity and $220,316,885 from future bond funds for a total of $546,658,755 for capital projects at the Airport Commission for fiscal year 2001-02.

(Fiscal impact.)

021069 **[Designating the Drexler/Colombo Building at 1-21 Columbus Avenue and 612-624 Washington Street as a Landmark]**
Supervisors Peskin, Daly, Leno, Newsom

Ordinance designating 1-21 Columbus Avenue and 612-624 Washington Street, the Drexler/Colombo Building, Lot 4 in Block 195, as Landmark No. 237 and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

021070 **[MOU, Amendment No. 1, Teamsters Local 853]**
Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Memorandum of Understanding between the Teamsters, Local No. 853 and the City and County of San Francisco by adding a new section to Article III.F. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Mayor)

021071 [Amending Police Department permit and license fees]
Mayor

Ordinance amending the San Francisco Police Code by amending Sections 2.26 and 2.27, to adjust permit and license fees for businesses regulated under the Police Code, and by adding Section 2.31, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

021073 [Patient Rates]
Mayor

Ordinance amending Article 3 of the San Francisco Health Code by amending Section 128 to set patient rates for services furnished by the Department of Public Health, effective July 1, 2002. (Mayor)

021074 [Setting new fees for inspection of retail food facilities by the Health Department]
Mayor

Ordinance amending the San Francisco Business and Tax Regulations Code, by amending Sections 35, 120, 248, and 249.1, setting fees for inspections of retail food facilities by the Department of Public Health in connection with licenses and permits, and authorizing the Controller to approve yearly cost-of-living adjustments in those fees. (Mayor)

021075 [Ambulance fee schedule]
Mayor

Ordinance approving a fee schedule for ambulance services provided by the San Francisco Fire Department and providing for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

021076 [Street fairs fees]
Mayor

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, rather than 40 percent of the cost, to eliminate the $2,500 cap on charges for police services for street fairs where alcoholic beverages are served, to eliminate ISCOTT's authority to waive payment of the cost of police services for street fairs where alcoholic beverages are served, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

021077 [Raising license and other Animal Care and Control fees for dogs, cats, and other animal.]
Mayor

Ordinance amending the San Francisco Health Code by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to raise license and other Animal Care and Control fees for dogs, cats, and other animals, and by adding Section 41.26, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

021078 [Enacting a new Police Emergency Alarm Ordinance requiring permits for alarm systems and imposing penalties for false alarms]
Mayor

Ordinance amending the San Francisco Police Code by repealing the current Article 37 (Police Emergency Alarm Ordinance), Sections 3700 though 3710; by enacting a new Article 37 (Police Emergency Alarm Ordinance), Sections 3700 through 3720, providing for permitting of alarm systems and penalties for false alarms; and by amending Police Code Section 2.26, to set permit fees for commercial and residential alarm systems. (Mayor)

021079 [Amending fees charged by the County Clerk for various services]
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 8.33.1, 62.8, and 62.9, to adjust fees charged by the County Clerk for various services and to provide for annual adjustment of those fees to reflect changes in the Consumer Price Index. (Mayor)

021080 [Amending Medical Examiner's fees]
Mayor

Ordinance amending the San Francisco Administrative Code by amending Section 8.14, to adjust fees for services provided by the Medical Examiner, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

021081 [Setting fees for City golf courses]
Mayor

Ordinance amending the San Francisco Park Code by adding Sections 12.12, 12.13, and 12.14, setting fees for use of City golf courses and adding Section 12.20, providing for annual adjustment of golf fees and day camp fees to reflect changes in the Consumer Price Index. (Mayor)

021082 [Adding a charge for administrative overhead when the City provides additional police and street-cleaning services to private parties]
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 10B.2, 10B.3, and 10B.12, to require the City to charge for administrative overhead when it contracts with private parties to provide additional police and street-cleaning services, to prohibit the waiver of fees for additional police services except by ordinance of the Board of Supervisors, and to correct a citation to the Charter. (Mayor)

021083 [Setting fees for City day camps]
Mayor

Ordinance amending the San Francisco Park Code by adding Section 12.15, setting fees for participating in day camps run by the Recreation and Park Department. (Mayor)

Resolutions

021049 **[Lease of Property - Camelot Hotel]**
Supervisors Ammiano, Daly

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and 124 Turk Street, LP, as Landlord, for the Camelot Hotel located at 124 Turk Street, San Francisco, CA 94102.

(Fiscal impact; District 6.)

021050 **[Urging U.S. Funding of International AIDS Relief]**
Supervisors Leno, Maxwell, Peskin, Newsom, Daly

Resolution urging the U.S. Congress and President George W. Bush to appropriate an additional $500 million for global HIV/AIDS relief.

021072 **[Accept-Expend California Integrated Waste Management Board Local Government Household Hazardous Waste Grant, Fiscal Year 2002/2003]**
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $69,507.24 from the California Integrated Waste Management Board for educating San Francisco residents and Conditionally Exempt Small Quantity Generators (CESQGs) about the proper disposal of universal waste lamps and to expand opportunities for residential disposal of universal waste lamps. (Environment)

021051 **[Supporting the California Clean Money Campaign]**
Supervisors McGoldrick, Yee, Peskin

Resolution supporting the California Clean Money Campaign and its efforts to qualify for the November 2004 ballot.

021052 **[Urging the City Attorney to Explore Filing Lawsuits Against Hastings College of Law]**
Supervisors Peskin, Leno, Ammiano, Yee, Daly

Resolution urging the City Attorney to explore the possibility of filing lawsuits against Hastings College of Law regarding the proposed parking garage at Golden Gate and Larkin Streets.

021053 **[Extending the Planning Review Period for Dwelling Units]**
Supervisor Leno

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code provisions relating to dwelling units.

021054 **[Urging the Respect of the Rights of Medical Cannabis Users/Caregivers]**
Supervisors Leno, Maxwell, Ammiano, Peskin, Newsom, Daly

Resolution urging the Federal, State, and local judiciary, when issuing search warrants, to consider and respect the rights of medical cannabis patients, caregivers, dispensaries and physicians attempting to comply with California Health and Safety Code Section 11362.5.

021055 **[Supporting SB 987, Improving Language Access to Government Services]**
Supervisors Yee, Peskin, Sandoval

Resolution supporting Senate Bill 987, improving language access to government services.

021056 **[Commending the Learning Support Services Advocates Coalition]**
Supervisors Maxwell, Sandoval

Resolution commending the Learning Support Services Advocates Coalition for their exemplary efforts to expand learning support services as a permanent part of schools and successfully lobbying the San Francisco Unified School District to allocate 10 nurses and 10 social workers to SFUSD STAR schools through its general fund.

021057 **[Commending the SF Symphony's Adventures in Music Program]**
Supervisors Leno, Peskin, Newsom, Sandoval

Resolution commending San Francisco Symphony's Adventures in Music (AIM) program for its contribution to the education and development of San Francisco's children.

021058 **[Commending Sir Ian McKellen]**
Supervisors Leno, Ammiano, Peskin, Newsom, McGoldrick, Daly

Resolution commending actor Sir Ian McKellen as the Celebrity Grand Marshall of the 2002 San Francisco LGBT Pride Parade.

021059 **[Recognizing Justice for Janitors Day]**
Supervisors Sandoval, Peskin, McGoldrick, Daly

Resolution recognizing June 15, 2002 as Justice for Janitors Day.

021060 **[Commending Larry Brinkin]**
Supervisors Leno, Newsom

Resolution commending Larry Brinkin for his work as a civil rights activist.

021061 **[Commending the Honorable Joseph A. Desmond]**
Supervisors Hall, Gonzalez, Newsom

Resolution commending The Honorable Joseph A. Desmond on the occasion of his retirement from the Superior Court of San Francisco.

021062 **[Commending the University of California-Women's Health Center]**
Supervisors Daly, Sandoval

Resolution commending the University of California San Francisco on the Inauguration of the Women's Health Center and commending UCSF for its continuing leading role in providing women's health care.

021063 **[Commending the Golden Gate Lutheran Church and its Drop-In Center]**
Supervisors Daly, Leno, Newsom, Sandoval

Resolution commending the Golden Gate Lutheran Church and its drop-in center for providing an invaluable service to the community.

021064 **[Commending the Shee Theater Company]**
Supervisors Daly, Newsom, Sandoval

Resolution commending the Shee Theater Company for its goal of promoting professional women and their plays in the theater and working for gender blind equal opportunity in the theater.

Motions

021047 **[Legislative Analyst Request]**
Supervisors Leno, Newsom

Motion asking the Legislative Analyst to research the City of New Orleans online Public Works Call Center Service Request program to allow city residents to report potholes, abandoned vehicles, traffic light outage, sign damaged needs and repairs and research the feasibility of a joint online report system for the Department of Public Works and Department of Parking and Traffic.

021048 **[Legislative Analyst Request]**
Supervisor Maxwell

Motion asking the Legislative Analyst to Research on existing programs that employ school nurses at San Francisco Unified School District schools. The report should also examine the scope of services provided, the number of children/youth served and the cost and funding resources for such programs.

Requests for Hearing

020171 **[Impact of Unemployment in San Francisco]**
Hearing to discuss rising unemployment in San Francisco, particularly in terms of immigrants, and develop solutions.

021065 **[Animal Testing at UCSF]**
Supervisors Gonzalez, Daly, Peskin, Maxwell

Hearing on animal testing at UCSF, including but not limited to treatment and conditions of test animals, scientific validity of experiments and follow-up on the Board of Supervisors' 1998 resolution regarding UCSF and animal testing.

021066 **[Permitting Process in District 9]**
Supervisor Ammiano

Hearing on the permitting process as it applies to businesses in District 9 specific but not exclusive to Bruno's Restaurant and the Oxygen Bar.

Charter Amendments

020886 **[Charter Amendment - Homeless Policy]**
Supervisor Daly

Charter amendment (Second Draft) to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same any fiscal year in which such enactment was adopted; to add Section 4.132 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

020813 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against City of Daly City and Olympic Club for receipt of an aggregate amount of $150,000.00 from City of Daly City and Olympic Club; the City and County of San Francisco filed the lawsuits on January 16, 2001 and May 16, 2001, respectively, in San Francisco Superior Court (Cases No. 318-127 and 321-393); other material terms of said settlement are each defendant to pay $75,000.00. (City Attorney)

020942 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Cecelia Wade against the City and County of San Francisco for $250,000; the lawsuit was filed on July 11, 2001 in the San Francisco Superior Court and later was transferred to the District Court of the Northern District of California, Case No. C01-3165; entitled Cecelia Wade, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PROPOSED RESOLUTIONS

020827 **[Accept - Expend State Funds Grant]**
Resolution authorizing the Juvenile Probation Department of the City and County of San Francisco to, retroactively, accept and expend a grant in the amount of (one hundred twenty thousand, seven hundred, seventy-eight dollars) $120,778.00 in funds from the State of California Board of Corrections for the Standards and Training for Local Corrections and Probation Officers Programs: stipulating adherence to standards for recruitment and training established by the Board of Corrections, and waiving any indirect costs. (Juvenile Probation Department)

020895 **[Child Care Health Consultation Services to Family Childcare Providers]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $69,151 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to extend current child care health consultation services to family childcare providers. for the period of September 1, 2001 to June 30, 2002. (Public Works Department)

020909 **[Primary scientific oversight and coordination for ongoing AIDS research studies in Africa]**
Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH,AIDS) to enter retroactively into an agreement with The Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of $10,623 to participate in AIDS prevention studies in Africa, for the period of March 1, 2002 to December 31, 2002. (Public Health Department)

020910 **[Revenue Bond Election]**
Resolution calling and providing for a special election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 5, 2002 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the Public Utilities Commission in a principal amount not to exceed $3,628,000,000 to finance the acquisition and construction of improvements to the City's water system; and consolidating said special election with the General Municipal Election to be held on November 5, 2002; finding the proposed project is in conformity with the priority of Planning Code Section 101.1(b) and the City's General Plan. (Public Utilities Commission)

(Fiscal impact.)

020943 **[Redevelopment Agency Budget, Fiscal Year 2002-2003]**
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2002-2003. (Redevelopment Agency)

(Fiscal impact.)

020944 **[Redevelopment Agency Budget and Bonds, Fiscal Year 2002-2003]**
Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2002-2003; and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed $41,500,000 for the purpose of financing Redevelopment activities in fiscal year 2002-2003.

Requests Granted

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft legislation to require Board approval of all contracts with lobbyists.

From: Supervisor Daly
To: Director, Mayor's Budget Office
To: Controller
To: Budget Analyst
Requesting/Inquiring: That the Director of the Mayor's Budget Office, the Controller and Budget Analyst provide a list of all contracts with greater than $2 million in General Fund for fiscal year 2002/03. Also, requesting that this list indicate whether these contracts are no bid or were awarded through a bidding process.

From: Supervisor Daly
To: Director, Redevelopment Agency
Requesting/Inquiring: To provide an update about the progress in establishing a Mid-Market Project Area, including an update schedule for adoption of the Mid-Market Project Area at the Project Area Committee, Redevelopment Commission and Board of Supervisors.

From: Supervisors Leno, Ammiano
To: City Attorney
Requesting/Inquiring: To draft an ordinance amending the City's domestic partnership laws to:
1. Remove San Francisco residency as a pre-requisite for domestic partnership registration;
2. Recognize domestic partnerships, same-sex marriages, and civil unions registered in other jurisdictions as valid domestic partnerships for the purposes of San Francisco law provisions;
3. Create an option for couples registering as domestic partners with the City to simultaneously register with the State of California if they desire, and to set fees as necessary to cover City expenses;
4. Send written notification to all domestic partners currently registered with the City that they must also register with the State of California to receive a variety of other benefits not provided by the City's domestic partner registration.

From: Supervisor Leno
To: City Attorney
Requesting/Inquiring: To draft legislation for permit applications of newly built or renovated public buildings to require that all single stall bathrooms be unisex for the convenience of patrons.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft legislation that will amend the Planning Code to prohibit certain massage establishments, and impose conditions upon a change of ownership or operation of existing massage establishments in the Sunset district.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft appropriate legislation that would grant City employees the right to purchase service credit in the Retirement System for military service served at any time.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft appropriate legislation to amend the War Memorial Trust Agreement to allow all Nationally Chartered by Congress veteran's organizations to participate in the operation of the Veterans Building.

ADJOURNMENT

There being no further business, the Board at the hour of 3:08 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 12, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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Monday, June 17, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Ammiano	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 24

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

Members Absent: Tony Hall.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Hall, Yee - 2.

Quorum present.

Supervisor Hall excused. (See infra)

Supervisor Yee was noted present at 2:03 p.m.

Supervisor Hall Excused from Attendance

Supervisor Newsom, seconded by Supervisor Daly, moved to excuse Supervisor Hall from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Daly, moved to approve the April 15, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

GENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

Supervisor Gonzalez indicated that File Nos. 020770, 020771, and 020772 be continued to July 1, 2002. (See infra)

Supervisor Ammiano indicated that File Nos. 012048 and 021009 be tabled. (See Infra)

Supervisor Leno indicated that File Nos. 020300 and 020293 be continued to July 1, 2002. (See infra)

rivilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Yee, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

ntroduction of Guests

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Thera Bradshaw for her work with the Emergency Communication Center.

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Natasha Thomas, Loranzo Belle, and Laura from Bayview Learns for developing the 2002, District 10 Summer Youth Activity Directory.

ONSENT AGENDA

commendations of the Finance Committee

707 **[Appropriating Funding for the District Attorney's Salaries and Fringes from the Reserve for Hanlon Arbitration Award]**
Supervisor Daly

Ordinance appropriating $283,764 from the Reserve for Hanlon Arbitration Award to cover salaries and fringes associated with the MOU with the Municipal Attorney's Association for the District Attorney's Office for fiscal year 2001-02. (Controller)

(Fiscal impact.)

Supervisor Daly requested to be added as sponsor.
Ordinance No. 100-02
FINALLY PASSED

020834 [License Agreement with American Society of Composers, Authors and Publishers]
Supervisor Daly

Ordinance authorizing the Director of Administrative Services to enter into the Local Government Licensing Agreement negotiated between the International Municipal Lawyers' Association and the American Society of Composers, Authors and Publishers to license music uses by the City under an license subject to automatic annual renewal for an annual Base License Fee plus 1% of revenue from events in which gross revenue exceeds $25,000. (Administrative Services Department)

Ordinance No. 103-02
FINALLY PASSED

020905 [Approval of Contract Assignment and Release of Reserved Funds]
Supervisor Peskin

Ordinance approving the assignment of existing contract for program management and construction management services in support of the San Francisco Public Utilities Commission's water power and sewer Capital Improvement Program to a joint venture consisting of Jacobs Civil, Inc. and Primus Industries, Inc., and releasing reserved funds.

(Fiscal impact.)

Ordinance No. 98-02
FINALLY PASSED

Recommendations of the Health and Human Services Committee

020669 [Approving Implementation Plan of the Substance Abuse and Crime Prevention Act of 2000]
Supervisors Daly, Newsom

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2002-2003. (Public Health Department)

Supervisor Newsom requested to be added as co-sponsor.
Resolution No. 420-02
ADOPTED

020751 [HIV testing, reporting and counseling services to gay and bisexual men in a research study]
Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH), to enter retroactively into an agreement in the amount of $23,566 with The Regents of the University of California San Francisco Center for AIDS Prevention Studies (UCSF), to provide HIV testing and reporting and counseling services to gay and bisexual men for the period of on or about April 1, 2002 to on or about June 30, 2002. (Public Health Department)

Resolution No. 397-02
ADOPTED

20820 **[Accept-Expend State Used Oil Recycling Block Grant, Eighth Cycle, Fiscal Year 2002/2003]**
Supervisors Daly, Sandoval, Newsom

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $361,023.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management. (Environment)

Supervisor Newsom requested to be added as co-sponsor.
Resolution No. 400-02
ADOPTED

20839 **[Accept - Expend Federal Funding - Stewart B. McKinney Supportive Housing 2001 Grant]**
Supervisors Daly, Newsom

Resolution authorizing the Department of Human Services to accept and expend a grant in the amount of $8,483,623 from the U.S. Department of Housing and Urban Development for Stewart B. McKinney Supportive Housing Program. (Human Services Department)

(Public Benefit Recipient)

Supervisor Newsom requested to be added as co-sponsor.
Resolution No. 421-02
ADOPTED

ecommendations of the Rules and Audits Committee

0412 **[City to Pay for Postage of Absentee Ballots]**
Supervisors Daly, Sandoval, Leno, Newsom

Ordinance amending the Municipal Elections Code to require that San Francisco pay for postage of absentee ballots cast by San Francisco voters.

(Fiscal impact.)

Ordinance No. 99-02
FINALLY PASSED

0757 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Imogene Jones against the City and County of San Francisco for $70,000; the lawsuit was filed on April 10, 2001 in the United States District Court, Case No. C01-1405 WHA; entitled Imogene Jones, v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 101-02
FINALLY PASSED

020760 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco and the Environmental Law Foundation against Nibco, Inc. for $83,000; the lawsuit was filed on December 28, 1999 in the Superior Court of California for the City and County of San Francisco, CASE NO. 308832; The People of the State of California by and through San Francisco City Attorney DENNIS J. HERRERA, et al., V. Matco-Norca, et al.; other material terms of said settlement are: (1) Within 60 days from the entry of the Consent Judgment, Nibco shall provide a Proposition 65 "hang tag" or adhesive warning sign securely affixed on all brass water shut off valves it manufactures or distributes and intended for sale or use in California whose American National Standard/NSF International Standard 61, Section 8 test results for lead leached into water is greater than 5 micrograms per liter; (2) Nibco shall meet certain lead reduction targets for certain water shut off valves manufactured or distributed by Nibco that are intended for sale or use in California; (3) Within 60 days following the end of each targeted period, Nibco shall submit to the Environmental Law Foundation test result showing that the specific valves set forth in the lead reduction target that are sold or used in California meet the lead reduction level required and a certification that Nibco has not and will not offer for sale or use in California valves that do not comply with the lead reduction target. (City Attorney)

Ordinance No. 97-02
FINALLY PASSED

020825 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Marvin Sexton, Jr. against the City and County of San Francisco for $76,000; the lawsuit was filed on November 15, 2000 in United States District Court, Northern District of California, Case No. C 01-0930 WHA; entitled Marvin Sexton, Jr., v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 102-02
FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

0770 **[Appeal, Conditional Use, 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion approving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Filed on May 10, 2002.)

Supervisor Gonzalez requested this matter be continued to July 1, 2002.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

0771 **[Appeal, Conditional Use, 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion disapproving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Supervisor Gonzalez requested this matter be continued to July 1, 2002.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

0772 **[Findings - 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.0818C, on property located 2455 Bush Street (a.k.a 1770 Scott Street), for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Gonzalez requested this matter be continued to July 1, 2002.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

commendation of Finance Committee

2904 [Water Rates]

Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its retail customers inside and outside the City and County of San Francisco. (Public Utilities Commission)

(Submitted 5/22/02. Charter Section 2.109 requires Board of Supervisors approval or rejection within thirty days.)

Ordinance No. 104-02

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

ommendation of the Health and Human Services Committee

020300 [Public Toilets]
Supervisors Hall, Daly, Newsom

Resolution urging the Mayor to request that the Department of Public Works, the Recreation and Park Department and any other city departments with public restrooms to open such facilities and to the greatest extent possible establish new public restroom facilities.

Supervisor Leno requested this matter be continued to July 1, 2002.

Supervisor Leno, seconded by Supervisor Newsom, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following two items.

NEW BUSINESS

Recommendations of the Budget Committee

20954 [Interim Government Funding, Fiscal Year 2002-03]
Mayor

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fisal impact.)

Supervisor Daly, seconded by Supervisor Gonzalez, moved to amend by adding the following statement: "During the period after final Board action on the Interim Annual Appropriation Ordinance and prior to final Board action on the Final Annual Appropriation Ordinance, City departments shall notify the Mayor and the Board of Supervisors at least one business day prior to notice of contract termination or reduction of greater than 50% for services provided by a nonprofit organization as a result to reduced appropriations. Such notification shall include a brief description of the impact, if any, of service cuts resulting from such termination or reduction."

Motion to amend adopted by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

Supervisor Ammiano, seconded by Supervisor Daly, moved amendment to Section 4.1: Interim Budget - Positions; "Notwithstanding any other provision of this ordinance, during the interim period, there shall be no eliminations of permanent positions, where such elimination results in a layoff of an employee, authorized for the Fiscal Year ending June 30, 2002, and there shall be no reductions in funding for such positions, except where such positions are specifically eliminated by a separate act of the Board of Supervisors."

Motion to amend adopted by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

Supervisor Maxwell, seconded by Supervisor Peskin, moved to amend by deleting one 1426 Senior Clerk Typist position from the Ethics Commission.

Motion to amend adopted by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

The amendment of the whole incorporates all of the above amendments.

President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

020955 **[Interim Public Employment, Fiscal Year 2002-03]**

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact.)

The Interim Annual Salary Ordinance was amended to conform to the amendments made to the Interim Annual Appropriation Ordinance.

President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

The President resumed the Chair shortly thereafter.

020943 **[Redevelopment Agency Budget, Fiscal Year 2002-2003]**

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2002-2003. (Redevelopment Agency)

(Fiscal impact.)

Resolution No. 426-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

Recommendations of the Finance Committee

0853 [Veterans Building General Obligation Bonds]
Supervisors Sandoval, Daly

Resolution determining and declaring that the public interest and necessity demand municipal improvements consisting of the acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction by the City and County of San Francisco of the San Francisco War Memorial Veterans Building, and all other works, property and structures necessary or convenient for the foregoing purposes; that the estimated cost of $122,755,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of bonded indebtedness; finding the project shall comply with the Secretary of the Interior's guidelines; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53.

(Fiscal impact.)

Resolution No. 423-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

ppointment of President Pro Tempore

At the request of the President, Supervisor Gonzalez assumed the Chair so the President could participate in the debate from the floor concerning the following item.

0856 [Pedestrian Safety and Livable Streets General Obligation Bonds]
Supervisors Ammiano, McGoldrick

Resolution determining and declaring that the public interest and necessity demand the financing of street resurfacing, curb ramp construction, sidewalk improvement and street structure improvement projects, street signal and fire alarm call box improvement projects, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes, that the estimated cost of $150,000,000 is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53.

(Government Code Sections 43607 and 43608, requires eight votes for passage.)

Resolution No. 424-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

The President resumed the Chair shortly thereafter.

020892 [Mortgage Revenue Bonds]
Mayor

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee to permit the issuance of qualified mortgage bonds in an amount not to exceed $19,000,000; authorizing the Mayor's Office of Housing to direct the Controller's Office to hold in trust an amount not to exceed $95,000; authorizing the Director to certify that the City has on deposit the required amount; authorizing the Mayor's Office of Housing to pay an amount equal to the deposit to the State of California if the City fails to issue the qualified mortgage bonds; and authorizing and directing the execution of any documents necessary to implement this Resolution and of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the application. (Mayor)

Resolution No. 403-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

020996 **[MOU Building Inspectors Association (Class 6334)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Building Inspectors' Association (Class 6334) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

020997 **[MOU, Automotive Machinists Union, Local 1414]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Automotive Machinists, Local 1414 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

20998 **[MOU, Bricklayers, Local 3]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3 and Hodcarriers, Local 36 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

20999 **[MOU, Building Inspectors Association (Class 6331, 6333)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Building Inspectors' Association (Class 6331, Class 6333) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21000 **[MOU, Carpenters, Local 22]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Carpenters, Local 22 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021001 [MOU, Cement Masons, Local 580]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Cement Masons, Local 580 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations.

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021002 [MOU, Deputy Probation Officers Association]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021003 [MOU, Deputy Sheriff's Association]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Deputy Sheriffs' Association of San Francisco, Inc. by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21004 **[MOU, District Attorney Investigators Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco District Attorney Investigators Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21005 **[MOU, Electrical Workers, Local 6]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, American Federation of Labor, by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

1006 **[MOU, Firefighters, Local 798 (Unit 1)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit 1 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021007 **[MOU, Firefighters, Local 798 (Unit II)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit II by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021008 **[MOU, Glaziers, Local 718]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers, Local 718, by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021009 **[MOU, Hod Carriers, Local 36]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Hod Carriers, Local 36, by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Supervisor Maxwell, seconded by Supervisor Peskin, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

021010 **[MOU, Institutional Police Officers Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021011 **[MOU, IATSE, Local 16]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees, Local 16 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21012 **[MOU, Ironworkers, Local 377]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Association of Bridge, Structural Ornamental, Reinforced Iron Workers, Riggers and Machinery Movers, Local 377 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021013 **[MOU, Laborers Union, Local 261]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Laborers International Union, Local 261 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021014 **[MOU, Municipal Attorneys' Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Municipal Attorneys' Association of San Francisco by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021015 **[MOU, Municipal Executives' Association (Misc)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Misc.) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021016 **[MOU, Municipal Executives' Association (Police)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Police Management) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021017 **[MOU, Municipal Executives' Association (Fire)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Fire Management) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations.

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21018 **[MOU, Pile Drivers, Local 34]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local 34 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021019 **[MOU, Plasterers, Local 66]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Plasterers' and Shophands', Local 66 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021020 **[MOU, Operating Engineers, Local 3]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021021 **[MOU, Painters Union, Local 4]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Painters Union District Council #8 for Local 4 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21022 **[MOU, Plumbers, Local 38]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local #38 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21023 **[MOU, Police Officers Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

1024 **[MOU, IFPTE, Local 21]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21 AFL-CIO by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021025 **[MOU, Roofers, Local 40]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021026 **[Union of American Physicians and Dentists (Unit 11-AA)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021027 **[MOU, Sheet Metal Workers, Local 104]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21028 **[MOU, Amendment No. 2, IFPTE, Local 21]**
Supervisor Daly

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21 AFL-CIO and the City and County of San Francisco pursuant to an arbitration award providing for a wage adjustment for employees assigned to classification 5212 (Principal Engineer), administrative leave for employees assigned to classification 5212 (Principal Engineer), and reimbursement of certain benefits no longer available to employees assigned to classifications 1888 (Resource Efficiency and Energy Conservation Manager), 2978 (Contract Compliance Officer II), 5212 (Principal Engineer), and 9386 (Senior Property Manager, Port), effective July 1, 2002. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 3 - Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21029 **[MOU, Sanitary Truck Drivers and Helpers, Teamsters, Local 350]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Sanitary Truck Drivers and Helpers, Teamsters, Local 350 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

1030 **[MOU, Stationary Engineers, Local 39]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:
Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021031 [MOU, Supervising Probation Officers Association]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Operating Engineers, Local 3 Bargaining for Supervising Probation Officers by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021032 [MOU, Supervising Registered Nurses, Teamsters Local 856]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters Local 856 for Supervising Nurses by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021033 [MOU, Teamsters, Local 853]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters, Local 853 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21034 **[MOU, Teamsters, Local 856 (Multi-Unit)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21035 **[MOU, Transport Workers Union, Local 200 (SEAM)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 200 (SEAM) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution ro the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

21036 **[MOU, Transport Workers Union , Local 250-A (7410)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 250-A (7410's) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021037 [MOU, Transport Workers Union, Local 250-A (Misc.)]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 250-A (Misc.) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

021038 [MOU, Union of American Physicians and Dentists (Unit 8-CC)]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 4 - Daly, Gonzalez, Sandoval, Yee
Absent: 1 - Hall

Recommendations of the Health and Human Services Committee

020293 [Prohibiting Urination and Defecation]
Supervisors Hall, Daly, Newsom

Ordinance amending Article 2 of the San Francisco Police Code by adding Section 153 to prohibit public urination and defecation.

Supervisor Newsom requested to be added as co-sponsor.

Supervisor Leno requested this matter be continued to July 1, 2002.

Supervisor Leno, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Gonzalez, Hall

20296 [Residential Tenant Security Deposits]
Supervisors Peskin, Daly, Leno, McGoldrick, Maxwell

Ordinance providing that annual landlord interest payments on residential tenant security deposits shall be paid at an interest rate determined annually by the Residential Rent Stabilization and Arbitration Board from the posted Federal Reserve Discount rates, instead of continuing to be paid at a five percent (5%) simple interest rate as provided by the current ordinance, and clarifying that interest accrues until termination of the tenancy.

Supervisor Daly requested to be added as co-sponsor.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Gonzalez, Hall

Supervisors Leno, McGoldrick, Maxwell requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Gonzalez, Hall

PECIAL ORDER 3:00 P.M.

0962 [Youth Commission Annual Report]
Report from the San Francisco Youth Commission. (Clerk of the Board)

The following Youth Commissioners appeared and gave a presentation: Anthony Valdez, Chairperson; Mari Villaluna; Jesse Arreguin; Tanene Allison.

FILED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

ECIAL ORDER 3:00 P.M.

020774 **[Public Hearing - Appeal, Conditional Use, 3224-3252 Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16372 dated April 11, 2002, approving Conditional Use Application No. 2001.1027CR to install and operate a total of six antennas on a replacement light pole and related equipment cabinets on an interior wall of the City-owned Marina Off-Street Parking Garage, within an NC-2 (Small Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code; and adopting a finding of consistency with the General Plan for the proposed project located at: 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets; Lots 009, 010, 011, 012 and 013, in Assessor's Block 0490.

(Appeal filed May 13, 2002; categorically exempt from the environmental review process pursuant to exemption Classes 1, 3 and 11 of Title 14 of the California Administrative Code; Case No. 2001.3252CR; companion measure to Files 020774, 020775, 020776, 020777; District 2.)

Appellants: Madeline Coupisa; Olga Nesa; Scott Dikes; Mark Mertinny; Charles Baine; Adosol Schnlly; Lori Dobun; Ms Sullivan; Mark Onzwood; Mark Zer; Janet Veroka; Tracy Hugfhes; Patricia Royde; Doug Lurin; Walerk Dicker.

Respondents: Gerald Green, representing Planning Commission; Debra Stein, representing Metro PC; Jonathan Macois; Robert Weller.

A rebuttal period was allowed.

The President then declared the hearing closed.

HEARD AT PUBLIC HEARING by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

020775 **[Appeal, Conditional Use, 3224-3252 Pierce Street]**

Motion approving decision of the Planning Commission by its Motion No. 16372, approving Conditional Use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

0776 **[Appeal, Conditional Use, 3224-3252 Pierce Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16372, approving Conditional Use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Motion No. M02-88

Supervisor Peskin, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

0777 **[Findings - 3224-3252 Pierce Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M02-89

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

PECIAL ORDER 3:00 P.M.

020835 **[Public Hearing - Appeal, Conditional Use, 5200 Geary Boulevard]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16382 dated April 18, 2002, approving Conditional Use Application No. 2002.0057C to mount a total of six panel antennas to an existing light pole on the upper deck of the three-level Geary Mall Parking Garage, within an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 712.83 of the Planning Code for the proposed project located at 5200 Geary Boulevard, (Geary Mall Parking Garage) north side between 16th and 17th Avenues; Lot 045, in Assessor's Block 1448.

(Appeal filed May 20, 2002; exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), in a letter dated February 12, 2002; Case No. 2002.0057C; companion measure to Files 020836, 020837, 020838; District 1.)

Appellants: Robert Blum, Nicholas Blum; Marcus Siginyall; Susan Low; Pamela Delanero; Cindy Mesiagreen; Les Lou; Pela Chang; female speaker; Jackie; Bernice; Cathy Creset; Megan Sullivan; Jackie Chow; male speaker; Arnold Lee; Dawn Venhantfold; Sheila Gleson; Heidi Bocox; Doug Lowringer; female speaker; William Chin; male speaker; Benny Loi; Mike Wong; female speaker; Mr. Matenoro; female speaker; Lon Payicas; Ann Maco; Patricia Foely; Francis When; Brian Flen; Victoria; female spaker; male speaker, Ray Coluian; Frank Soon.

Respondents: Gerald Green, representing Planning Commission; Debor Stein, representing Metro PC; Jonathan Mock; male speaker.

A rebuttal period was allowed.

The President then declared the hearing closed.
HEARD AT PUBLIC HEARING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

020836 **[Appeal, Conditional Use, 5200 Geary Boulevard]**
Motion approving decision of the Planning Commission by its Motion No. 16382, approving Conditional Use Application No. 2002.0057C, on property located at 5200 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1 (Clerk of the Board)

Supervisor Peskin, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

0837 **[Appeal, Conditional Use, 5200 Geary Boulevard]**
Motion disapproving decision of the Planning Commission by its Motion No. 16382, approving Conditional Use Application No. 2002.0057C, on property located at 5200 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1 (Clerk of the Board)

(Requires eight votes.)

Motion No. M02-90

Supervisor Peskin, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

0838 **[Findings - 5200 Geary Boulevard]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0057C, on property located 5200 Geary Boulevard, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M02-91

Supervisor Peskin, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

PECIAL ORDER 3:00 P.M.

0900 **[Public Hearing - Appeal, Conditional Use, 3130-3154 Noriega Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16390 dated April 25, 2002, approving Conditional Use Application No. 2001.0995CE, approving a conditional use authorization under Planning Code Sections 121.1, 710.11, and 710.21 to develop a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 3,400 square feet of commercial/retail space and nine dwelling units on a lot with a total area exceeding 5,000 square feet, in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District on property located at 3130-3154 Noriega Street, on the north side of Noriega Street at 39th Avenue; Lot 007, in Assessor's Block 2011.

(Appeal filed May 22, 2002; a Certificate of Exemption/Exclusion from Environmental Review for Case No. 2001.0995CE was issued on March 27, 2002 by Planning Department; companion measure to File 202900, 020901, 020902, 020903, District 4.)

Supervisor Yee requested this matter be continued to July 1, 2002.

Supervisor Yee, seconded by Supervisor Leno, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

020901 **[Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion approving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Yee requested this matter be continued to July 1, 2002.

Supervisor Yee, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

020902 **[Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Supervisor Yee requested this matter be continued to July 1, 2002.

Supervisor Yee, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

020903 **[Findings - 3130-3154 Noriega Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.0995CE, on property located at 3130-3154 Noriega Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Yee requested this matter be continued to July 1, 2002.

Supervisor Yee, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

PUBLIC COMMENT

Abdalah Megahed, homelessness;
Male speaker, housing;
Male speaker, liquor stores;
Judy West, rails to trails project.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

21047 [Legislative Analyst Request]
Supervisors Leno, Newsom

Motion asking the Legislative Analyst to research the City of New Orleans online Public Works Call Center Service Request program to allow city residents to report potholes, abandoned vehicles, traffic light outage, sign damaged needs and repairs and research the feasibility of a joint online report system for the Department of Public Works and Department of Parking and Traffic.

Supervisor Newsom requested to be added as co-sponsor.

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Gonzalez, Hall, Yee

12048 [Sail San Francisco Day]
Supervisors Peskin, Newsom, Hall

Resolution declaring August 28, 2002 as Sail San Francisco Day in the City and County of San Francisco, in support of an organization that advances San Francisco's rich maritime legacy and provides a public forum for international cultural exchange and unique educational experiences.

This item was placed on the calendar in error. No action taken.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

1050 [Urging U.S. Funding of International AIDS Relief]
Supervisors Leno, Maxwell, Peskin, Newsom, Daly

Resolution urging the U.S. Congress and President George W. Bush to appropriate an additional $500 million for global HIV/AIDS relief.

Supervisors Peskin, Newsom, Daly requested to be added as co-sponsors.

Resolution No. 428-02

ADOPTED

021051 **[Supporting the California Clean Money Campaign]**
Supervisors McGoldrick, Yee, Peskin

Resolution supporting the California Clean Money Campaign and its efforts to qualify for the November 2004 ballot.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 429-02

ADOPTED

021052 **[Urging the City Attorney to Explore Filing Lawsuits Against Hastings College of Law]**
Supervisors Peskin, Leno, Ammiano, Yee, Daly

Resolution urging the City Attorney to explore the possibility of filing lawsuits against Hastings College of Law regarding the proposed parking garage at Golden Gate and Larkin Streets.

Resolution No. 444-02

ADOPTED

021053 **[Extending the Planning Review Period for Dwelling Units]**
Supervisor Leno

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code provisions relating to dwelling units.

Resolution No. 430-02

ADOPTED

021054 **[Urging the Respect of the Rights of Medical Cannabis Users/Caregivers]**
Supervisors Leno, Maxwell, Ammiano, Peskin, Newsom, Daly

Resolution urging the Federal, State, and local judiciary, when issuing search warrants, to consider and respect the rights of medical cannabis patients, caregivers, dispensaries and physicians attempting to comply with California Health and Safety Code Section 11362.5.

Supervisors Peskin, Newsom, Daly requested to be added as co-sponsors.

Resolution No. 431-02

ADOPTED

021055 **[Supporting SB 987, Improving Language Access to Government Services]**
Supervisors Yee, Peskin, Sandoval

Resolution supporting Senate Bill 987, improving language access to government services.

Supervisors Peskin, Sandoval requested to be added as co-sponsors.

Resolution No. 432-02

ADOPTED

1056 [Commending the Learning Support Services Advocates Coalition]
Supervisors Maxwell, Sandoval, McGoldrick

Resolution commending the Learning Support Services Advocates Coalition for their exemplary efforts to expand learning support services as a permanent part of schools and successfully lobbying the San Francisco Unified School District to allocate 10 nurses and 10 social workers to SFUSD STAR schools through its general fund.

Supervisors Sandoval, McGoldrick requested to be added as co-sponsors.

Resolution No. 433-02

ADOPTED

1057 [Commending the SF Symphony's Adventures in Music Program]
Supervisors Leno, Peskin, Newsom, Sandoval

Resolution commending San Francisco Symphony's Adventures in Music (AIM) program for its contribution to the education and development of San Francisco's children.

Supervisors Peskin, Newsom, Sandoval requested to be added as co-sponsors.

Resolution No. 434-02

ADOPTED

1058 [Commending Sir Ian McKellen]
Supervisors Leno, Ammiano, Peskin, Newsom, McGoldrick, Daly

Resolution commending actor Sir Ian McKellen as the Celebrity Grand Marshall of the 2002 San Francisco LGBT Pride Parade.

Supervisors Peskin, Newsom, McGoldrick, Daly requested to be added as co-sponsors.

Resolution No. 435-02

ADOPTED

1059 [Recognizing Justice for Janitors Day]
Supervisors Sandoval, Peskin, McGoldrick, Daly

Resolution recognizing June 15, 2002 as Justice for Janitors Day.

Supervisors Peskin, McGoldrick, Daly requested to be added as co-sponsors.

Resolution No. 436-02

ADOPTED

060 [Commending Larry Brinkin]
Supervisors Leno, Newsom

Resolution commending Larry Brinkin for his work as a civil rights activist.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 437-02

ADOPTED

021061 **[Commending the Honorable Joseph A. Desmond]**
Supervisors Hall, Gonzalez, Newsom

Resolution commending The Honorable Joseph A. Desmond on the occasion of his retirement from the Superior Court of San Francisco.

Supervisor Newsom requested to be added as co-sponsor.

Resolution No. 438-02
ADOPTED

021062 **[Commending the University of California-Women's Health Center]**
Supervisors Daly, Sandoval

Resolution commending the University of California San Francisco on the Inauguration of the Women's Health Center and commending UCSF for its continuing leading role in providing women's health care.

Supervisor Sandoval requested to be added as co-sponsor.

Resolution No. 439-02
ADOPTED

021063 **[Commending the Golden Gate Lutheran Church and its Drop-In Center]**
Supervisors Daly, Leno, Newsom, Sandoval

Resolution commending the Golden Gate Lutheran Church and its drop-in center for providing an invaluable service to the community.

Supervisors Leno, Newsom, Sandoval requested to be added as co-sponsors.

Resolution No. 440-02
ADOPTED

021064 **[Commending the Shee Theater Company]**
Supervisors Daly, Newsom, Sandoval

Resolution commending the Shee Theater Company for its goal of promoting professional women and their plays in the theater and working for gender blind equal opportunity in the theater.

Supervisors Newsom, Sandoval requested to be added as co-sponsors.

Resolution No. 441-02
ADOPTED

020950 **[Final Map for a 5 Lot Merger and 11 Lot Resubdivision Project]**
Motion approving Final Map of Karen Court (63 Karen Court), being a Merger and Resubdivision of Lots 30, 31, 77, 78 and 79, Assessor's Block No. 6117, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,559; District 10.)

Motion No. M02-92
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Gonzalez, Hall, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Newsom, seconded by Supervisor Leno, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Gonzalez, Hall, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Newsom, seconded by Supervisor Leno, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Gonzalez, Hall, Yee

Imperative Resolution

21094 **[Funding the Supportive Housing Initiative Act (SHIA)]**
Supervisor Leno

Resolution urging the Conference Committee of the California State Legislature to give $3.5 million to fund the Supportive Housing Initiative Act (SHIA).

Supervisor Leno presented for immediate adoption.

Resolution No. 442-02

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Gonzalez, Hall, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

020593 **[Residential Rent Assistance Pilot Program]**
Supervisors Ammiano, Daly, Maxwell

Ordinance establishing a General Fund residential rent assistance program for tenants whose federal rent subsidy in San Francisco has been reduced or revoked due to a failure to meet federal immigration status verification requirements imposed under Section 592 of the federal Quality Housing and Work Responsibility Act of 1998 ("QHWRA," Public Law 105-276, 42 U.S.C. 1436a), including tenants in San Francisco Housing Authority units and Section 8 units; providing criteria and procedures for disbursement of funding, with disbursements available commencing July 1, 2002; providing two outreach grants of $5,000 each; and identifying companion legislation that would provide funding of $349,000 from the City's General Fund for the first year of the Program (July 2002 through June 2003).

(Fiscal impact.)

4/15/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 5/15/2002.

6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing same title.

6/17/02, ASSIGNED to Finance Committee.

021095 **[Notification of Solicitations]**
Supervisor Sandoval

Ordinance amending the San Francisco Administrative Code by amending Section 12 D.A. 9. to require that all contract awarding authorities submit current bids, requests for proposals and solicitations to the Purchaser of Supplies of the City and County of San Francisco and cause to be posted on a Purchaser's website certain information concerning current bids, requests for proposals and solicitations.

6/17/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 7/17/2002.

21096 **[Amending Residential Rent Stabilization and Arbitration Ordinance]**
Supervisors Gonzalez, Daly

Ordinance amending the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37), by amending Sections 37.2, 37.3, 37.8, 37.9, 37.9B, and 37.11A, to: clarify the definition of rental units to include units regardless of zoning or legal status; provide that parking or storage or similar facilities on the same lot may not be severed by the landlord without just cause or tenant consent, except where necessitated by serious landlord hardship or circumstances beyond the landlord's control; extend coverage of the ordinance to non-tourist tenancies in residential hotels by eliminating the 32-day residency requirement for those tenancies; change Subsection 37.3(a) "Rent Increase Limitations for Tenants in Occupancy" and Subsection 37.3(b) "Notice of Rent Increase for Tenants in Occupancy" by deleting the phrase "in occupancy" from both subsections; limit imposition of banked rent increases to 8% per year and require more specific notice; require more specific notice for rent increases authorized under California Civil Code Sections 1954.50 et seq., and require a rent arbitration hearing for certain increases not authorized by Civil Code Sections 1954.50 et seq.; prohibit rent increases or evictions solely for additional occupants, where the total number of occupants is within Housing Code occupancy limits; expand the statute of limitations from three years to five years from discovery, for refunds of rent overpayments due to null and void rent increases; clarify that all endeavors to recover possession for just cause under Section 37.9(a), must be in good faith without ulterior motive and with honest intent; require relocation expenses of $2,000 for each authorized occupant (including any minor child) who has lived in a unit for 12 months as of the time of vacation of the unit, where the unit is to be demolished or otherwise permanently removed from housing use, or where the tenant must relocate due to capital improvements or substantial rehabilitation work or an owner-move-in eviction, with one-half paid upon notice and one-half paid within 72 hours after vacation of the unit, and with these amounts to be increased annually according to the rate of increase in the "Rent of Primary Residence" expenditure category of the Consumer Price Index (CPI); provide that a tenant's civil action against a landlord for abridgement of rights under this Chapter may also be brought against the landlord's successor in interest; certain technical corrections to conform numbering to prior Chapter 37 amendments; and, amending San Francisco Housing Code Chapter 5, Section 503(b) to make a technical correction, and amending San Francisco Housing Code Chapter 5, Section 503(d), to clarify that the protections of that Section extend to all persons by deleting the references to "families," to clarify that the Section promotes affordable housing, and to clarify that the Section protects prospective and current tenants.

6/17/02, ASSIGNED UNDER 30 DAY RULE to Health and Human Services Committee, expires on 7/17/2002.

021097 **[Business Tax]**
Supervisor Peskin

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax on persons engaging in specified business activities in San Francisco; (2) amend Article 12-A (Payroll Expense Tax Ordinance) to (i) reduce businesses' taxable payroll expense by the amount of payroll expense attributable to their San Francisco business activities taxed under Article 12-A-1 (Gross Receipts Tax Ordinance), (ii) conform Article 12-A (Payroll Expense Tax Ordinance) with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 6 (Common Administrative Provisions), (iii) repeal the Enterprise Zone Tax Credit set forth in Section 906A, (iv) repeal the $500 surplus business tax revenue credit set forth in Section 906E, and (v) consolidate exemptions, definitions and other administrative provisions, as amended, that apply to Article 12-A (Payroll Expense Tax Ordinance) and other Articles of the Business and Tax Regulation Code, and place them in Article 6 (Common Administrative Provisions); (3) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 6 (Common Administrative Provisions); (4) amend Article 6 (Common Administrative Provisions) to (i) clarify common administrative provisions and conform them with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 12 (Business Registration Ordinance), (ii) consolidate exemptions, definitions and other administrative provisions that apply to Article 12-A (Payroll Expense Tax Ordinance), Article 12-A-1 (Gross Receipts Tax Ordinance), Article 12 (Business Registration Ordinance) and other Articles of the Business and Tax Regulations Code, and (iii) eliminate the Board of Review; (5) amend Section 501 of Article 7 to clarify the definition of "Permanent Residents" exempt from the tax on the transient occupancy of hotel rooms, and (6) amend Section 606 of Article 9 to repeal the exemptions to the tax and surcharge upon the rent charged for the occupancy of parking spaces in parking stations (i) which are part of residential or hotel premises and (ii) for registered hotel guests where the parking station is not located on the hotel premises.
6/17/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 7/17/2002.

021098 **[Requiring Minimum Square Footage for Off-site Units and Clarifying Unit Requirements in Inclusionary Affordable Housing Program]**
Supervisors McGoldrick, Leno

Ordinance amending Planning Code Section 315.5 to provide that off-site units produced to meet the City's Inclusionary Affordable Housing Program shall be of a similar square footage to the units produced in the principle project; amending Sections 315.4 and 315.5 to change the method of calculating the requirement for number of units produced under the Inclusionary Affordable Housing Program to more closely reflect the percentages stated in the text of the Ordinance.
6/17/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 7/17/2002. 6/26/02 - Transmitted to Planning Commission for public hearing and recommendation.

Resolutions

021099 **[Susan Po-Rufino Reappointment to Treasure Island Development Authority]**
Mayor

Resolution confirming the reappointment of Ms. Susan Po-Rufino to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)
6/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021100 **[Claudine Cheng Reappointment to the Treasure Island Development Authority]**
Mayor

Resolution confirming the reappointment of Ms. Claudine Cheng to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)
6/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021101 **[Accept-Expend State Grant]**
Supervisor Sandoval

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $30,000 from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety.
6/17/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021102 **[Mortgage Revenue Bonds]**
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee to permit the issuance of qualified mortgage bonds in an amount not to exceed $17,000,000; authorizing the Mayor's Office of Housing to direct the Controller's Office to hold in trust an amount not to exceed $85,000; authorizing the Director to certify that the City has on deposit the required amount; authorizing the Mayor's Office of Housing to pay an amount equal to the deposit to the State of California if the City fails to issue the qualified mortgage bonds; and authorizing and directing the execution of any documents necessary to implement this Resolution and of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the application. (Mayor)
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021103 **[Schedule meeting of the whole on July 1, 2002 for Presidio Work Group]**
Supervisors Yee, Newsom

Resolution to schedule a meeting of the Committee of the Whole on July 1, 2002 to hear a report of the Presidio Work Group participant's findings, concerns or recommendations regarding the Presidio.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

21104 **[Amending Resolution No. 020729]**
Supervisor Leno

Resolution amending Resolution No. 020729, which supported a unified San Francisco School District, by amending the first whereas clause to clarify the meaning of the resolution.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021105 [Urging to uphold the Clean Air Act and Maintain Pollution Controls]
Supervisors Leno, Sandoval, Daly

Resolution urging Christine Todd Whitman and the U.S. Environmental Protection Agency to uphold the Clean Air Act and maintain existing pollution controls.

6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021106 [Community Land Trust Task Force]
Supervisor Gonzalez

Resolution removing David Jay-Bonn from seat 9 of the Community Land Trust Task Force, appointing Rick Lewis to the vacated seat, and waiving the residency requirement for Mr. Lewis.

6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021107 [Accepting from Hermanson's Employment Services a donation of $25,000]
Supervisors Gonzalez, Daly

Resolution accepting from Hermanson's Employment Services a donation of $25,000 to the City and County of San Francisco, with the funds designated to be used for the purpose of conducting a thorough study of the impacts of expanding the wage requirements of the City's Minimum Compensation Ordinance, and possibly establishing a minimum municipal wage; directing the Clerk of the Board to initiate the process for entering into an agreement with the University of California for the conduct of the study.

6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021108 [West Approach Overhead Signage Cooperative Agreement]
Supervisor Daly

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of Public Works to accept and expend up to $365,000 in federal and state grant funds to implement the West Approach Overhead Signage Project in the City and County of San Francisco.

6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021109 [SURTASS LFA Sonar]
Supervisor Daly

Resolution opposing the United States of America's Department of the Navy's proposed deployment of surveillance towed array sensor system low frequency active (SURTASS LFA) sonar.

6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021110 [Establishing a Work Group to End the Exploitation of Children]
Supervisors Ammiano, Sandoval, Daly

Resolution approving the formation of a work group to assess the needs of sexually exploited and abused children.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021111 [Accept Grant from CA Integrated Waste Management Board Used Oil Opportunity]
Supervisors Peskin, Sandoval

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $88,694.14 from the California Integrated Waste Management Board Used Oil Opportunity Grant Program for funds to continue and expand the used oil collection program at the San Francisco Marina, Pier 39 Marina and the Treasure Island Marina.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021112 [Supporting Mission Creek Bikeway and Greenbelt Concept Plan]
Supervisors Daly, Leno, Maxwell, Peskin, Sandoval

Resolution supporting the Mission Creek Bikeway and Greenbelt Concept Plan prepared by the Rails-to-Trails Conservancy, Madrina Group, San Francisco Bicycle Coalition and the Department of Parking and Traffic and urging stakeholding agencies to work cooperatively in bringing the Concept Plan to fruition.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021113 [San Francisco Housing Authority]
Supervisors Maxwell, Daly

Resolution urging San Francisco Housing Authority to comply with Sec 504 of the Rehabilitation Act, the Fair Housing Act amendment of 1988, and the Title II of the Americans with Disabilities Act, 24 CFR 115[d] and the HUD Budget Authorization Act by adopting and implementing a policy to provide an effective tenant education program on asthma control and prevention and allows tenants with asthma to request smooth surface flooring as a reasonable accommodation or modification.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

21114 [Commending Public Works and the Clean City Coalition]
Supervisors Yee, Newsom, Peskin, Hall

Resolution commending the Department of Public Works and the Clean City Coalition for their leadership in organizing the Second Clean City Summit.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021115 [Parking and Traffic merger into the Municipal Transportation Agency]
Supervisor Newsom

Resolution urging the Municipal Transportation Agency and the Department of Parking and Traffic to proceed with the planned integration of the Department of Parking and Traffic into the Municipal Transportation Agency effective on July 1st, 2002.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021116 [Commending Bayview LEARNS]
Supervisors Maxwell, Newsom, Sandoval

Resolution commending Bayview LEARNS for their efforts to provide youth in the Bayview a comprehensive, community-based summer school program.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021117 [Commending Bob Rybicki, Executive Director of Shanti]
Supervisors Leno, Newsom, Peskin, Sandoval, Daly

Resolution commending Bob Rybicki, Executive Director of Shanti, and declaring June 28, 2002 Bob Rybicki Day in San Francisco.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021118 [Commending Deputy City Attorney Kimon Manolius]
Supervisors Ammiano, Peskin, Daly

Resolution commending Kimon Manolius for his more than 10 years of exemplary public service as Chief Counsel, Managing Deputy, Chief of Civil Litigation, Head of the Code Enforcement Team and Deputy City Attorney in the San Francisco City Attorney's Office, and wishing him well in his future endeavors.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021119 [Commending Deputy City Attorney Joanne Sakai]
Supervisors Ammiano, Peskin, Daly

Resolution commending Deputy City Attorney Joanne Sakai for her two and one half years of exemplary public service, specializing in developing and financing affordable housing in San Francisco and playing a key role in protecting the interests of San Francisco and its ratepayers in the PG&E bankruptcy case, and wishing her well in her future endeavors as Deputy Executive Director of the Housing and Community Development Division of the San Francisco Redevelopment Agency.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

21120 [Commending WaterKeepers Northern California]
Supervisors Newsom, Peskin

Resolution commending WaterKeepers Northern California and its projects, San Francisco BayKeeper and DeltaKeeper, for making tremendous strides towards bringing agricultural discharges which harm our waterways under the regulatory umbrella and for continuing this effort with its Pesticide Use Reduction Enterprise.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

21123 [Negotiations Regarding GCIU Local 4N and Independent/SF Examiner IU Local 4N and the Examiner/Independent]
Supervisors Ammiano, Daly, Gonzalez

Resolution regarding negotiations between GCIU Local 4N and the SF Examiner/Independent.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

21122 [Planning initiatives to encourage housing production and improve transportation/neighborhood services]
Supervisor McGoldrick

Hearing to consider action by the City to formally adopt the Citywide Action Plan of the San Francisco Planning Department as the formal policy of the City to focus and guide planning initiatives to encourage housing production and improve transportation and neighborhood services.
6/17/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Motions

21093 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
6/17/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

21121 [Business Tax]
Supervisor Peskin

Motion submitting the San Francisco Tax Reform Ordinance 2002 to the qualified electors of the City and County of San Francisco, at the November 5, 2002 general municipal election.
6/17/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Charter Amendments

012056 [Charter Amendment - Energy Self Sufficiency]
Supervisors Ammiano, Maxwell

Charter amendment (Second Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

11/13/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/13/2001.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment (Second Draft) bearing new title.

6/17/02, ASSIGNED to Rules and Audits Committee.

020883 [Charter Amendment - Authority to Appoint the Director of Public Works]
Supervisor Gonzalez

Charter amendment (Second Draft) to amend Sections 3.104 and 4.130 and add a new Section 4.130-1 to transfer the authority to appoint the Director of Public Works from the City Administrator to the Mayor, set forth specific duties for the Department of Public Works, and to establish a Public Works Commission consisting of eleven members appointed by the Board of Supervisors to oversee the Department of Public Works.

5/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/17/02, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing same title.

6/17/02, ASSIGNED to Rules and Audits Committee.

020887 [Charter Amendment - Changes to Public Utilities related to water and sewer]
Supervisor Ammiano

Charter Amendment (Second Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.128, amend Section 9.111-1 and 4.112 and delete Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing, hiring and selection of providers; reporting and planning requirements; revenue bonds or other financing methods.

(Fiscal impact.)

2/20/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/19/2002.

6/17/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute charter amendment (Second Draft) bearing new title.

6/17/02, ASSIGNED to Rules and Audits Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

20988 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the matter of Cheryl C. Jessee v. City and County of San Francisco for $45,000 to Cheryl C. Jessee and $61,500 to her attorney of record, Mayo & Rogers. The lawsuit was filed on May 25, 2001, in San Francisco Superior Court, Case No. 321-661; entitled Cheryl C. Jessee v. City and County of San Francisco. (City Attorney)

6/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

ROPOSED RESOLUTIONS

20987 **[Agreement to Quitclaim Twenty-Three (23) Noise Easements]**

Resolution authorizing the rescission by the City and County of San Francisco of twenty-three (23) Grants of Easement previously acquired by City, for one property in the City of Pacifica and twenty-two (22) in the City of San Bruno. (Real Estate Department)

6/6/02, RECEIVED AND ASSIGNED to Finance Committee.

20989 **[Gift - Private]**
Supervisor Newsom

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift of a comprehensive breast center and associated equipment, valued at $3,598,000, donated by the Avon Products Foundation through the San Francisco General Hospital Foundation, and approving the naming of the center "The Avon Foundation Comprehensive Breast Center". (Public Health Department)

6/12/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

20991 **[Contracting out Crime Prevention Services]**

Resolution concurring with the Controller's Certification that Crime Prevention Services can be practically performed by private contractor for lower cost than similar work services performed by City and County Employees. (Police Department)

6/12/02, RECEIVED AND ASSIGNED to Finance Committee.

20992 **[Redevelopment Agency Budget]**
Mayor

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2001-02 by increasing the Agency's tax increment receipts and expenditure authority each in an amount not to exceed $16,500,000, authorizing a cooperation agreement with the City and County of San Francisco, and authorizing the Agency to increase its annual statement of indebtedness by an amount not to exceed $16,500,000; all Redevelopment Project Areas. (Mayor)

6/12/02, RECEIVED AND ASSIGNED to Budget Committee.

ROPOSED MOTIONS

020945 **[Submission of an Ordinance to the Voters authorizing Sewer Service Charge Rate Increases]**

Motion ordering the submission of an ordinance to the voters authorizing the Board of Supervisors to adopt and impose schedules of sewer service charges to be paid by users in accordance with the San Francisco Charter and Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code) that will provide an aggregate 12% increase of sewer service revenues, at an election to be held on November 5, 2002. (Public Utilities Commission)

6/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

020990 **[Board Off-site Meetings]**

Supervisor Ammiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on August 21, September 18, and November 20, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

6/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Requests Granted

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To draft an ordinance amending chapter 21 of the Administrative Code requiring the payment of "prevailing wages" to employees, when employed by public sector contractors in connection with the City & County of San Francisco who provide theatrical or technical services related to the presentations of shows, plays, or exhibits etc. Furthermore, this Amendment would assist in preserving work that is customarily performed in San Francisco for union membership.

From: Supervisor Maxwell
To: Local Homeless Coordinating Board
To: Mayor's Office on Homelessness
To: Department of Parking and Traffic
Requesting/Inquiring: To report on actions the City is currently undertaking or could undertake to assist persons living in vehicles. These actions should focus upon transitioning persons to appropriate housing while limiting or prohibiting the practice of parking vehicles in City streets on a long-term basis.

Supervisor Maxwell requests that this report is provided to her office by Monday, July 22, 2002.

From: Supervisors Leno, Daly Ammiano
To: City Attorney
Requesting/Inquiring: To draft ordinances requiring the payment of prevailing wages to workers employed in the operation of public off street parking lots or garages and employees involved in public contracts to provide theatrical or technical services related to the presentation of shows, plays and exhibits.

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft an ordinance modeled after AB 1889, passed in 2000 in the California state legislature and authored by Representative Cedillo. This ordinance would prohibit the use of money from the City and County of San Francisco to fund organizations that discourage union activities.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft legislation to reevaluate and revise the 1996 Wireless Telecommunications Services Facilities (WTS) Siting Guidelines to establish, among other potential revisions, formal criteria in collaboration with the Department of Telecommunications and Information Services (DTIS) for the determination of necessity for proposed cellular antenna sites in the City and County of San Francisco; and to explore ways to incorporate that into the Conditional Use Application Process.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft an ordinance which amends the San Francisco Police Code, Section 1135.2, setting up a cap on taxicab lease fees.

From: Supervisor Peskin
To: Director of Recreation and Parks
Requesting/Inquiring: To report on the progress of utilizing Pier 24 as a Skate Boarding Park. According to the Youth Commission's Youth Recreation and Services Committee, Mayor Brown outlined plans for Pier 24 to the community over two years ago. His office has received such numerous complaints about skateboarders damaging street furniture and obstruction sidewalks along the Embarcadero. Please provide a brief report, when possible, on the status of this development.

From: Supervisor Yee

To: Chief of the Police Department
Requesting/Inquiring: To report on specific costs of maintaining the helicopter and marine units within the SFPD.

Please provide a reply to this inquiry prior to the June 18th Board of Supervisors Budget Meeting.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mrs. Mabel Brown Schine (Supervisor Yee)
Jon Cook (Entire Board)
Mr. Jack Robinson (Supervisor Maxwell)
Ms. June Williams Keller (Supervisors Maxwell, Yee)
Mr. Lim Poon Lee (Entire Board)
Mr. Roger Wong Dip (Supervisor Yee)
Ms. June Jordan (Supervisors Gonzalez, Newsom, Leno)
Sister Patrick Curran (Supervisor Leno)
Ms. Phyllis Wattis (Supervisor Leno)
Mr. Harry Blumenthal (Supervisor Leno)

ADJOURNMENT

There being no further business, the Board at the hour of 7:49 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 12, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
NOV - 1 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, June 24, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Ammiano	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 25

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Hall, Maxwell, Peskin, Sandoval - 4.

Quorum present.

Supervisors Hall, Maxwell, Sandoval were noted present at 2:02 p.m.

Supervisor Peskin was noted present at 2:07 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Yee, seconded by Supervisor Leno, moved to approve the April 22, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

Supervisor Yee indicated that File No. 020546 be continued to July 1, 2002. (See infra)

Privilege of the Floor

Supervisor Leno, seconded by Supervisor Hall, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guests

Supervisor Hall introduced, welcomed and presented a check to Richard Allen, President of the Pacific Rowing Club on behalf of the Bay Area Sports Hall of Fame.

Supervisor Leno introduced, welcomed and presented a check to Bonnie Jones of the Roof Top Giants on behalf of the Bay Area Sports Hall of Fame.

Supervisor Peskin introduced, welcomed, and presented a check to Russell Gumina of the Salesian Boys' and Girls' Club on behalf of the Bay Area Sports Hall of Fame.

Supervisor Leno introduced, welcomed and presented a Certificate of Honor to Jack Martins, a San Francisco public school music teacher.

Supervisor McGoldrick introduced, welcomed and recognized Edward Harrington, Controller.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to a delegation from Macoe, China.

CONSENT AGENDA

Recommendations of the Public Works and Public Protection Committee

020758 **[Grant - District Attorney Criminal Restitution Compact Project]**
Resolution authorizing the Office of the District Attorney to contract for, accept and expend $132,638 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2002 through June 30, 2003. (District Attorney)

Resolution No. 445-02
ADOPTED

020827 **[Accept - Expend State Funds Grant]**
Resolution authorizing the Juvenile Probation Department of the City and County of San Francisco to, retroactively, accept and expend a grant in the amount of (one hundred twenty thousand, seven hundred, seventy-eight dollars) $120,778.00 in funds from the State of California Board of Corrections for the Standards and Training for Local Corrections and Probation Officers Programs: stipulating adherence to standards for recruitment and training established by the Board of Corrections, and waiving any indirect costs. (Juvenile Probation Department)

Resolution No. 448-02
ADOPTED

Recommendations of the Transportation and Commerce Committee

020855 **[Grant - Department of Parking and Traffic and Department of Public Works for Pedestrian and Bicycle Projects]**

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of Public Works to accept and expend state Transportation Development Act Article 3 (TDA) funds totalling $579,000 for FY 01-02 and $585,000 for FY 02-03 for various pedestrian and bicycle projects in the City and County of San Francisco.

Resolution No. 417-02

ADOPTED

020906 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Noe Street between the driveways for addresses #334 and #338 (seven-foot space, accommodating two motorcycles).

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Treat Avenue west side, between 25th and 26th Streets (1200 block), and
25th Street, both sides, between Folsom Street and Treat Avenue (addresses 3166 - 3199 only).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Shrader Street, both sides, between Grattan Street and Parnassus Avenue (1100 block). (Parking and Traffic Department)

(DPT Order No. 2435.)
(5/20/02 Categorically Exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in use of the street.)

Resolution No. 449-02

ADOPTED

020907 **[Traffic Regulations]**
Supervisors Newsom, Daly

Resolution enacting and rescinding traffic regulations on various streets.

TRIAL STREET CLOSURE - ESTABLISH
Lyon Street between Richardson Avenue and Francisco Street.

STREET CLOSURE - ESTABLISH
Lyon Street between Richardson Avenue and Francisco Streets.

NO RIGHT TURNS - ESTABLISH
Richardson Avenue, southbound, at Francisco Street.

RIGHT TURN ONLY, 7 AM - 9 AM AND 3 PM - 6 PM, SCHOOL DAYS - ESTABLISH
Hickory Street, eastbound, at Gough Street.

LEFT TURN ONLY, 7 AM - 9 AM AND 3 PM - 6 PM, SCHOOL DAYS - ESTABLISH
Hickory Street, eastbound, at Franklin Street (adding one hour to already established afternoon hours).

NO LEFT TURN, 11 AM - 7 PM DAILY - ESTABLISH
25th Avenue, northbound, at Geary Boulevard.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Ocean Avenue, south side, from Sunset Boulevard to 20 feet westerly.

STOP SIGNS - ESTABLISH
Amazon Avenue and London Street, stopping Amazon Avenue at London Street, making this intersection an all-way STOP.

STOP SIGNS - ESTABLISH
Cesar Chavez and Diamond Streets, stopping Cesar Chavez Street at Diamond Street, making this uncontrolled intersection a two-way STOP.

STOP SIGNS - ESTABLISH
Brannan and Delancey Streets, stopping Brannan Street at Delancey Street, making this two-way controlled intersection an all-way STOP.

STOP SIGNS - ESTABLISH
Farragut and Huron Avenues, stopping Farragut Avenue at Huron Avenue, making this intersection an all-way STOP.

STOP SIGNS - ESTABLISH
17th Avenue and Rivera Street, stopping Rivera Street at 17th Avenue, making this intersection an all-way STOP. (Parking and Traffic Department)

(DPT Order No. 2435.)
(5/20/02 Categorically Exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in use of the street.)

Resolution No. 425-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

Supervisor Hall Recused

Supervisor Hall, seconded by Supervisor Daly, moved to recuse Supervisor Hall from voting on File Nos. 021128 and 021129. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021128 **[Adopting findings related to the conditional use appeal on property located at 3224-3252 Pierce Street]**
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.1027CR (which authorized, subject to certain conditions, the mounting of six panel antennas on a replacement light pole and related equipment cabinets on an interior wall of the City-owned Marina Off-Street Parking Garage as part of a wireless telecommunications network to be operated by Metro PCS) within an NC-2 (Small Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets (Lots 009, 010, 011, 012 and 013 in Assessor's Block 0490). (Clerk of the Board)

(Companion measure to Files 020774, 020775, 020776, 020777.)

Motion No. M02-97

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

021129 **[Adopting findings related to the conditional use appeal on property located at 5200 Geary Boulevard]**
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0057C (which authorized, subject to certain conditions, the mounting of six panel antennas to an existing light pole on the upper deck of the three-level Geary Mall Parking Garage as part of a wireless telecommunications network) within an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 712.83 of the Planning Code for the proposed project located at 5200 Geary Boulevard, north side between 16th and 17th Avenues (Lot 045 in Assessor's Block 1448). (Clerk of the Board)

(Companion measure to Files 020835, 020836, 020837, 020838.)

Motion No. M02-98

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

Recommendations of the Budget Committee

020954 [Interim Government Funding, Fiscal Year 2002-03]
Mayor

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fisal impact.)

Ordinance No. 105-02
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020955 **[Interim Public Employment, Fiscal Year 2002-03]**
Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact.)

Ordinance No. 106-02
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

020996 **[MOU Building Inspectors Association (Class 6334)]**
Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Building Inspectors' Association (Class 6334) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 108-02
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

020997 **[MOU, Automotive Machinists Union, Local 1414]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Automotive Machinists, Local 1414 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020998 **[MOU, Bricklayers, Local 3]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers, Stone Masons, Terrazo Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3 and Hodcarriers, Local 36 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 109-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

020999 **[MOU, Building Inspectors Association (Class 6331, 6333)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Building Inspectors' Association (Class 6331, Class 6333) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 110-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021000 **[MOU, Carpenters, Local 22]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Carpenters, Local 22 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 143-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021001 **[MOU, Cement Masons, Local 580]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Cement Masons, Local 580 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations.

(Supervisor Daly dissenting in Committee.)

Ordinance No. 111-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021002 **[MOU, Deputy Probation Officers Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 112-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021003 **[MOU, Deputy Sheriff's Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Deputy Sheriff's Association of San Francisco, Inc. by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 113-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021004 **[MOU, District Attorney Investigators Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco District Attorney Investigators Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 114-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021005 **[MOU, Electrical Workers, Local 6]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, American Federation of Labor, by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 115-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021006 **[MOU, Firefighters, Local 798 (Unit 1)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit 1 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 116-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021007 **[MOU, Firefighters, Local 798 (Unit II)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798 IAFF, AFL-CIO, Unit II by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 117-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021008 **[MOU, Glaziers, Local 718]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Glaziers, Architectural Metal and Glass Workers, Local 718, by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 118-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021010 **[MOU, Institutional Police Officers Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 119-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021011 **[MOU, IATSE, Local 16]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Alliance of Theatrical Stage Employees, Local 16 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 120-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021012 **[MOU, Ironworkers, Local 377]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Association of Bridge, Structural Ornamental, Reinforced Iron Workers, Riggers and Machinery Movers, Local 377 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 121-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021013 [MOU, Laborers Union, Local 261]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Laborers International Union, Local 261 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 122-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021014 [MOU, Municipal Attorneys' Association]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Municipal Attorneys' Association of San Francisco by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 144-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021015 [MOU, Municipal Executives' Association (Misc)]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Misc.) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 123-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021016 **[MOU, Municipal Executives' Association (Police)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Police Management) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 124-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021017 **[MOU, Municipal Executives' Association (Fire)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Municipal Executives' Association (Fire Management) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations.

(Supervisor Daly dissenting in Committee.)

Ordinance No. 125-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021018 **[MOU, Pile Drivers, Local 34]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local 34 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 126-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021019 **[MOU, Plasterers, Local 66]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Plasterers' and Shophands', Local 66 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 127-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021020 **[MOU, Operating Engineers, Local 3]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 128-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021021 **[MOU, Painters Union, Local 4]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Painters Union District Council #8 for Local 4 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 129-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021022 **[MOU, Plumbers, Local 38]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local #38 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 130-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021023 **[MOU, Police Officers Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Police Officers' Association (SFPOA) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 131-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021024 **[MOU, IFPTE, Local 21]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, Local 21 AFL-CIO by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 132-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021025 [MOU, Roofers, Local 40]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the United Union of Roofers, Waterproofers and Allied Workers, Local 40 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 133-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021026 [Union of American Physicians and Dentists (Unit 11-AA)]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 145-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021027 [MOU, Sheet Metal Workers, Local 104]

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Sheet Metal Workers International Union, Local 104 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 134-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021028 [MOU, Amendment No. 2, IFPTE, Local 21]
Supervisor Daly

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21 AFL-CIO and the City and County of San Francisco pursuant to an arbitration award providing for a wage adjustment for employees assigned to classification 5212 (Principal Engineer), administrative leave for employees assigned to classification 5212 (Principal Engineer), and reimbursement of certain benefits no longer available to employees assigned to classifications 1888 (Resource Efficiency and Energy Conservation Manager), 2978 (Contract Compliance Officer II), 5212 (Principal Engineer), and 9386 (Senior Property Manager, Port), effective July 1, 2002. (Mayor)

Ordinance No. 135-02

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

021029 **[MOU, Sanitary Truck Drivers and Helpers, Teamsters, Local 350]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Sanitary Truck Drivers and Helpers, Teamsters, Local 350 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 136-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021030 **[MOU, Stationary Engineers, Local 39]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the International Union of Operating Engineers, Stationary Engineers, Local 39 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021031 **[MOU, Supervising Probation Officers Association]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Operating Engineers, Local 3 Bargaining for Supervising Probation Officers by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 137-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021032 **[MOU, Supervising Registered Nurses, Teamsters Local 856]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters Local 856 for Supervising Nurses by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 146-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021033 **[MOU, Teamsters, Local 853]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters, Local 853 by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 138-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021034 **[MOU, Teamsters, Local 856 (Multi-Unit)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 139-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021035 **[MOU, Transport Workers Union, Local 200 (SEAM)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 200 (SEAM) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 140-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021036 **[MOU, Transport Workers Union , Local 250-A (7410)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 250-A (7410's) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 141-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021037 **[MOU, Transport Workers Union, Local 250-A (Misc.)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Transport Workers Union of America, Local 250-A (Misc.) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 142-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

021038 **[MOU, Union of American Physicians and Dentists (Unit 8-CC)]**

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by appending a Letter of Agreement concerning the City's 2002-2003 budget which provides: (a) for the City to reduce its "pick-up" of the required employee contribution to the retirement system by 2.75% of the employees' compensation effective July 1, 2002 through June 30, 2003; (b) a 1% base wage increase effective close of business June 30, 2003 and; (c) a no layoff commitment in fiscal year 2002-2003 for employees represented by participating employee organizations. (Mayor)

(Supervisor Daly dissenting in Committee.)

Ordinance No. 147-02

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

Recommendation of the Health and Human Services Committee

020296 **[Residential Tenant Security Deposits]**
Supervisors Peskin, Daly, Leno, Newsom

Ordinance providing that annual landlord interest payments on residential tenant security deposits shall be paid at an interest rate determined annually by the Residential Rent Stabilization and Arbitration Board from the posted Federal Reserve Discount rates, instead of continuing to be paid at a five percent (5%) simple interest rate as provided by the current ordinance, and clarifying that interest accrues until termination of the tenancy.

Supervisors Leno, Newsom, Daly requested to be added as co-sponsors.

Ordinance No. 107-02

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Neighborhood Services and Recreation Committee

020546 **[SFUSD to Offer Students Neighborhood School Facilities]**
Supervisor Yee

Resolution urging the San Francisco Unified School District (SFUSD) to provide adequate facilities to accommodate all public school enrollees sufficient school space in their neighborhoods.

Supervisor Yee requested this matter be continued to July 1, 2002.

Supervisor Yee, seconded by Supervisor Newsom, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020860 **[Expressing grave concern about the recent KPIX Channel 5 news series focused on Chinese Restaurants in San Francisco]**
Supervisors Peskin, McGoldrick

Resolution expressing grave concern about negative stereotyping of Asian-American restaurants perpetuated by recent KPIX coverage and its unbalanced series on unsanitary conditions inside Chinese Restaurants in San Francisco.

REFERRED to the Health and Human Services Committee.

NEW BUSINESS

Recommendations of the Finance Committee

020851 **[Certificates of Participation to Replace the Existing San Francisco Juvenile Hall]**
Supervisors Hall, Leno, Maxwell

Resolution authorizing the execution and delivery of certificates of participation, in an amount not to exceed $45,000,000, to finance the acquisition, improvement, construction and/or reconstruction of a new juvenile detention facility to replace the existing San Francisco Juvenile Hall; approving the form of a property lease between the City and County of San Francisco (the "City") and a trustee relating to certain City-owned property (as further described in this Resolution); approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a trust agreement between the City and a trustee (including certain indemnities contained therein); approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the filing of a validation action validating the execution and delivery of the certificates of participation; authorizing the reimbursement of certain expenditures; authorizing the payment of costs of issuance; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal impact.)

Supervisor Maxwell requested to be added as a co-sponsor.

Resolution No. 419-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

020852 **[Accept-Expend Grant from Board of Corrections]**
Supervisors Hall, Leno, Newsom

Resolution authorizing the Mayor's Office of Criminal Justice to accept and expend a grant in the amount of $15,075,000 from the Board of Corrections (BOC) for the purpose of entirely replacing San Francisco's 52 year old juvenile hall with a modern facility that is humane and secure, while increasing its capacity to enhance focus on the rehabilitation of the youths detained there.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 422-02

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Recommendation of the Transportation and Commerce Committee

020749 **[Speed Limit - Buena Vista Terrace]**
Ordinance adding Section 174.7 to the San Francisco Traffic Code establishing a 20-MPH speed limit along a portion of Buena Vista Terrace.

(April 29, 2002 Certification from Department of Parking and Traffic: Categorically Exempt from Environmental Review Class 1(c), Existing Highways and Streets.)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

020946 **[Public Hearing - Appeal, Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use and Brannan Street Wharf Projects]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Supplemental Environmental Impact Report on May 9, 2002, Case No. 2000.1229E, for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco.

(Appeal filed May 23, 2002; companion measure to 020947, 020978, 020949.)

Department Representative: Paul Maltzer, Planning.

Respondents: Peter Daly, project sponsor, Port of San Francisco; Lee Splits; Ellen Juck; Jeffrey Lee; Michael Sweet; Mr. Erickson; Mr. Haas; Carl Hanson; Steve Gattle; Jim Bulter; Mr. LeStrang; John Olafat, Female speaker; Nida Spol; Bobby Gilry, Local 10; Richard Pinn, Local 10; Male Speaker; Tracy Foulkner.

Appellants: Terry Shore, primary appellant; Ms. Simmons; Ernestine Weise; Joe Sunkin; Jennifer Clary; Earl Gee; John Shinwell; Matthew Medin; S. Grimm; Female speaker.

A rebuttal period was allowed.

The President then declared the hearing closed.

HEARD AT PUBLIC HEARING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

020947 **[Affirm certification of San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project FSEIR]**

Motion affirming the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco. (Clerk of the Board)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020948 **[Disapprove certification of San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project FSEIR]**

Motion disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco. (Clerk of the Board)

Supervisor Daly presented an amendment of the whole bearing a new title.

Supervisor Daly, seconded by Supervisor Newsom, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco; requesting that seven additional issues be addressed in a revised FSEIR. (Clerk of the Board)

Motion No. M02-99

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020949 **[Preparation of findings to disapprove certification of San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project FSEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco. (Clerk of the Board)

Motion No. M02-94

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

021090 **[Public Hearing - Appeal, Minor Sidewalk Encroachment, 1514-1518 McAllister Street]**

Hearing appealing decision of the Department of Public Works by its Order No.173,518 dated May 15, 2002, revoking a Minor Sidewalk Encroachment Permit No. 01MSE-327 approved August 14, 2001, to legalize the construction of a warped driveway with planters extending 3'-8 into the public sidewalk right-of-way fronting the property at 1514-1518 McAllister Street, Block 1155, Lot 004A.

(Appeal filed May 30, 2002, by Sanger & Olson, on behalf of Nicola Miner and Robert Anderson, property owners; companion measure to Files 021091, 021092; District 5.)

Appellants: Charles Olson, Nickle and Minor.

Respondents: Patricia Boyde; Male speaker; Dennis Miser; Cheri Matson; Mr Flemming.

A rebuttal period was allowed.

The President then declared the hearing closed.

HEARD AT PUBLIC HEARING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Only one of the following two motions should be adopted.)

021091 **[Minor Sidewalk Encroachment Appeal]**

Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 1514-1518 McAllister Street and granting an Encroachment Permit. (Clerk of the Board)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021092 **[Minor Sidewalk Encroachment Appeal]**

Motion affirming the Department of Public Works' denial of an Encroachment Permit for 1514-1518 McAllister Street and denying an Encroachment Permit. (Clerk of the Board)

Motion No. M02-95

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

COMMITTEE REPORTS

Recommendations of Finance Committee

020779 **[Outreach Advertising]**

Resolution designating the Asian Week to be outreach newspaper of the City and County of San Francisco for the Chinese community; El Reportero to be outreach newspaper of the City and County of San Francisco for the Hispanic community; the Bay Area Reporter to be outreach newspaper of the City and County of San Francisco for the Gay/Lesbian/Bisexual/Transgender community; and the San Francisco Bay View to be outreach newspaper of the City and County of San Francisco for the African American community, for outreach advertising for the fiscal year commencing July 1, 2002 and ending June 30, 2003. (Purchaser)

Resolution No. 447-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020778 **[Official Advertising]**

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of non-consecutive day official advertising, for the fiscal year commencing July 1, 2002 and ending June 30, 2003. (Purchaser)

Supervisor McGoldrick presented an amendment of the whole bearing a new title.

Supervisor McGoldrick, seconded by Supervisor Leno, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 1 - Daly
Absent: 1 - Sandoval

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of non-consecutive day official advertising, for the fiscal year commencing July 1, 2002 and ending December 31, 2002. (Purchaser)

Resolution No. 446-02

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 1 - Daly
Absent: 1 - Sandoval

021068 [Rescinding appropriation authority for Airport capital projects, and appropriate funding for capital projects]

Supervisors Peskin, Daly

Ordinance rescinding $1,087,448,058 of unencumbered appropriation authority for airport capital projects and appropriating $326,341,870 in fund equity and $220,316,885 from future bond funds for a total of $546,658,755 for capital projects at the Airport Commission for fiscal year 2001-02.

(Fiscal impact.)

Supervisor Peskin presented an amendment of the whole bearing a new title.

Supervisor Daly requested to be added as a co-sponsor.

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Daly

Ordinance rescinding $1,087,448,058 of unencumbered appropriation authority for airport capital projects and appropriating $326,341,870 in fund equity and $220,316,885 from future bond funds for a total of $546,658,755 for capital projects at the Airport Commission for fiscal year 2001-02, placing $5,000,000 for the Runway Reconfiguration Project on the Board of Supervisors reserve, and adopting findings.

(Fiscal impact.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of Budget Committee

)20992 [Redevelopment Agency Budget]

Mayor

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2001-02 by increasing the Agency's tax increment receipts and expenditure authority each in an amount not to exceed $16,500,000, authorizing a cooperation agreement with the City and County of San Francisco, and authorizing the Agency to increase its annual statement of indebtedness by an amount not to exceed $16,500,000; all Redevelopment Project Areas. (Mayor)

Resolution No. 427-02

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee
Absent: 2 - Newsom, Sandoval

PUBLIC COMMENT

Abdalah Megahed, homelessness;
Nick Burgan; lame duck positions;
Peter Warfield and James Chaffie, public library;
Female Speaker, natural resources council;
Frederick Hobson, Rules Committee appointment process;
Maria Lupas, asthma, healthy home environment;
Reed Dickson, asthma relief for kids;
Tracy Colefair, Gush Psychi, and, Margaret Brodkin, asthma;
Maria Galiguta, Childrens Fund;
Francisco Decasta, First Speaker of San Francisco;
Male speaker, homelessness;
Elain Stein, Childrens Fund;
Robert Bendal, Park Merced.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

021048 **[Legislative Analyst Request]**
Supervisor Maxwell

Motion asking the Legislative Analyst to Research on existing programs that employ school nurses at San Francisco Unified School District schools. The report should also examine the scope of services provided, the number of children/youth served and the cost and funding resources for such programs.

APPROVED by the following vote:
Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Yee
Absent: 5 - Leno, McGoldrick, Newsom, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

)21102 [Mortgage Revenue Bonds]

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee to permit the issuance of qualified mortgage bonds in an amount not to exceed $17,000,000; authorizing the Mayor's Office of Housing to direct the Controller's Office to hold in trust an amount not to exceed $85,000; authorizing the Director to certify that the City has on deposit the required amount; authorizing the Mayor's Office of Housing to pay an amount equal to the deposit to the State of California if the City fails to issue the qualified mortgage bonds; and authorizing and directing the execution of any documents necessary to implement this Resolution and of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the application. (Mayor)

Resolution No. 443-02
ADOPTED

)21103 **[Schedule meeting of the whole on July 1, 2002 for Presidio Work Group]**
Supervisors Yee, Newsom

Resolution to schedule a meeting of the Committee of the Whole on July 1, 2002 to hear a report of the Presidio Work Group participant's findings, concerns or recommendations regarding the Presidio.

Resolution No. 450-02
ADOPTED

)21104 **[Amending Resolution No. 020729]**
Supervisor Leno

Resolution amending Resolution No. 020729, which supported a unified San Francisco School District, by amending the first whereas clause to clarify the meaning of the resolution.

Resolution No. 451-02
ADOPTED

)21105 **[Urging to uphold the Clean Air Act and Maintain Pollution Controls]**
Supervisors Leno, Sandoval, Daly

Resolution urging Christine Todd Whitman and the U.S. Environmental Protection Agency to uphold the Clean Air Act and maintain existing pollution controls.

Supervisors Sandoval, Daly requested to be added as co-sponsors.
Resolution No. 452-02
ADOPTED

021107 **[Accepting from Hermanson's Employment Services a donation of $25,000]**
Supervisors Gonzalez, Daly, Newsom

Resolution accepting from Hermanson's Employment Services a donation of $25,000 to the City and County of San Francisco, with the funds designated to be used for the purpose of conducting a thorough study of the impacts of expanding the wage requirements of the City's Minimum Compensation Ordinance, and possibly establishing a minimum municipal wage; directing the Clerk of the Board to initiate the process for entering into an agreement with the University of California for the conduct of the study.

Supervisors Newsom, Daly requested to be added as co-sponsors.
Resolution No. 453-02
ADOPTED

021108 **[West Approach Overhead Signage Cooperative Agreement]**
Supervisor Daly

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of Public Works to accept and expend up to $365,000 in federal and state grant funds to implement the West Approach Overhead Signage Project in the City and County of San Francisco.

Resolution No. 454-02
ADOPTED

021110 **[Establishing a Work Group to End the Exploitation of Children]**
Supervisors Ammiano, Sandoval, Daly

Resolution approving the formation of a work group to assess the needs of sexually exploited and abused children.

Supervisors Sandoval, Daly requested to be added as co-sponsors.
Resolution No. 455-02
ADOPTED

021111 **[Accept Grant from CA Integrated Waste Management Board Used Oil Opportunity]**
Supervisors Peskin, Sandoval

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $88,694.14 from the California Integrated Waste Management Board Used Oil Opportunity Grant Program for funds to continue and expand the used oil collection program at the San Francisco Marina, Pier 39 Marina and the Treasure Island Marina.

Supervisor Sandoval requested to be added as a co-sponsor.
Resolution No. 416-02
ADOPTED

021112 **[Supporting Mission Creek Bikeway and Greenbelt Concept Plan]**
Supervisors Daly, Leno, Maxwell, Peskin, Sandoval

Resolution supporting the Mission Creek Bikeway and Greenbelt Concept Plan prepared by the Rails-to-Trails Conservancy, Madrina Group, San Francisco Bicycle Coalition and the Department of Parking and Traffic and urging stakeholding agencies to work cooperatively in bringing the Concept Plan to fruition.

Supervisors Peskin, Sandoval requested to be added as co-sponsors.

Resolution No. 456-02
ADOPTED

021113 **[San Francisco Housing Authority]**
Supervisors Maxwell, Daly

Resolution urging San Francisco Housing Authority to comply with Sec 504 of the Rehabilitation Act, the Fair Housing Act amendment of 1988, and the Title II of the Americans with Disabilities Act, 24 CFR 115[d] and the HUD Budget Authorization Act by adopting and implementing a policy to provide an effective tenant education program on asthma control and prevention and allows tenants with asthma to request smooth surface flooring as a reasonable accommodation or modification.

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 457-02
ADOPTED

021114 **[Commending Public Works and the Clean City Coalition]**
Supervisors Yee, Newsom, Peskin, Hall

Resolution commending the Department of Public Works and the Clean City Coalition for their leadership in organizing the Second Clean City Summit.

Supervisors Newsom, Peskin, Hall requested to be added as co-sponsors.

Resolution No. 458-02
ADOPTED

021115 **[Parking and Traffic merger into the Municipal Transportation Agency]**
Supervisor Newsom

Resolution urging the Municipal Transportation Agency and the Department of Parking and Traffic to proceed with the planned integration of the Department of Parking and Traffic into the Municipal Transportation Agency effective on July 1st, 2002.

Resolution No. 464-02
ADOPTED

21116 **[Commending Bayview LEARNS]**
Supervisors Maxwell, Newsom, Sandoval

Resolution commending Bayview LEARNS for their efforts to provide youth in the Bayview a comprehensive, community-based summer school program.

Supervisors Newsom, Sandoval requested to be added as co-sponsors.

Resolution No. 459-02
ADOPTED

021117 **[Commending Bob Rybicki, Executive Director of Shanti]**
Supervisors Leno, Newsom, Peskin, Sandoval, Daly

Resolution commending Bob Rybicki, Executive Director of Shanti, and declaring June 28, 2002 Bob Rybicki Day in San Francisco.

Supervisors Newsom, Peskin, Sandoval, Daly requested to be added as co-sponsors.

Resolution No. 460-02
ADOPTED

021118 **[Commending Deputy City Attorney Kimon Manolius]**
Supervisors Ammiano, Peskin, Daly

Resolution commending Kimon Manolius for his more than 10 years of exemplary public service as Chief Counsel, Managing Deputy, Chief of Civil Litigation, Head of the Code Enforcement Team and Deputy City Attorney in the San Francisco City Attorney's Office, and wishing him well in his future endeavors.

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 461-02
ADOPTED

021119 **[Commending Deputy City Attorney Joanne Sakai]**
Supervisors Ammiano, Peskin, Daly

Resolution commending Deputy City Attorney Joanne Sakai for her two and one half years of exemplary public service, specializing in developing and financing affordable housing in San Francisco and playing a key role in protecting the interests of San Francisco and its ratepayers in the PG&E bankruptcy case, and wishing her well in her future endeavors as Deputy Executive Director of the Housing and Community Development Division of the San Francisco Redevelopment Agency.

Supervisors Peskin, Daly requested to be added as co-sponsors.

Resolution No. 418-02
ADOPTED

021120 **[Commending WaterKeepers Northern California]**
Supervisors Newsom, Peskin

Resolution commending WaterKeepers Northern California and its projects, San Francisco BayKeeper and DeltaKeeper, for making tremendous strides towards bringing agricultural discharges which harm our waterways under the regulatory umbrella and for continuing this effort with its Pesticide Use Reduction Enterprise.

Supervisor Peskin requested to be added as co-sponsor.

Resolution No. 462-02
ADOPTED

021093 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Supervisor Daly requested to be added as co-sponsor.

Motion No. M02-96
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Yee
Absent: 5 - Leno, McGoldrick, Newsom, Peskin, Sandoval

Severed from for Adoption Without Committee Reference

021106 [Community Land Trust Task Force]
Supervisor Gonzalez

Resolution removing David Jay-Bonn from seat 9 of the Community Land Trust Task Force, appointing Rick Lewis to the vacated seat, and waiving the residency requirement for Mr. Lewis.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

Supervisor Gonzalez requested that this item be referred to committee.
REFERRED to the Rules and Audits Committee.

021109 [SURTASS LFA Sonar]
Supervisor Daly

Resolution opposing the United States of America's Department of the Navy's proposed deployment of surveillance towed array sensor system low frequency active (SURTASS LFA) sonar.

Supervisor Hall requested this matter be severed so it could be considered separately.

Supervisor Hall requested this item be continued to July 1, 2002.
Supervisor Hall moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Yee
Absent: 5 - Leno, McGoldrick, Newsom, Peskin, Sandoval

021123 [Negotiations Regarding GCIU Local 4N and Independent/SF Examiner IU Local 4N and the Examiner/Independent]
Supervisors Ammiano, Daly, Gonzalez

Resolution regarding negotiations between GCIU Local 4N and the SF Examiner/Independent.

Supervisor Ammiano requested this matter be severed so it could be considered separately.

Supervisor Ammiano requested this item be continued to July 15, 2002.
President Ammiano moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Yee
Absent: 5 - Leno, McGoldrick, Newsom, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Yee, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Yee
Absent: 5 - Leno, McGoldrick, Newsom, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Yee, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Yee
Absent: 5 - Leno, McGoldrick, Newsom, Peskin, Sandoval

Imperative Resolution

021140 **[Commending San Francisco Fog]**
Supervisor Leno

Resolution commending the San Francisco Fog for the establishment of the Mark Kendall Bingham Cup Invitational Rugby Tournament and Festival, the world's first international gay rugby tournament.

Supervisor Leno presented for immediate adoption.

Resolution No. 463-02

ADOPTED by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Yee
Absent: 5 - Leno, McGoldrick, Newsom, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021141 **[Agreement for Stadium Advertising]**
Supervisor Maxwell

Ordinance approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for stadium advertising and naming rights and for the performance of certain capital repairs at the stadium located at Candlestick Point.
6/24/02, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the July 17, 2002 Finance Committee meeting.

021142 **[Motorcycle Parking Zones]**
Supervisor Gonzalez

Ordinance amending San Francisco Traffic Code Sections 27 and 219 to allow the removal of non-motorcycles from designated motorcycle parking zones and to encourage the designation of new motorcycle parking zones.
6/24/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 7/24/2002.

Resolutions

021143 **[Accept a gift of a comprehensive breast center and associated equipment]**
Supervisor Newsom

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift of a comprehensive breast center and associated equipment, valued at $3,598,000, donated by the Avon Products Foundation through the San Francisco General Hospital Foundation, and approving the naming of the center "The Avon Foundation Comprehensive Breast Center".
6/24/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021144 **[Presidio Trust Management Plan]**
Supervisors Newsom, Yee

Resolution urging the Presidio Trust to delay action on the Presidio Trust Management Plan to August 21, 2002.
6/24/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021145 **[Urging passage of AB 2242]**
Supervisor Leno

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign AB 2242 which will preserve the purchasing power of the state minimum wage.
6/24/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021146 **[Urging Passage of AB 1080]**
Supervisor Leno

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign AB 1080 which requires state contractors to provide equal benefits to gay and lesbian employees with domestic partners.
6/24/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021147 **[Commending Jack Martens]**
Supervisors Leno, Newsom

Resolution commending Jack Martens for his outstanding dedication to the education of generations of San Francisco school children and congratulate him as the recipient of this year's Agnes Albert Prize for Excellence in Music Education from the San Francisco Symphony.
6/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021148 **[Commending the Asian and Pacific Islander Business and Information Services]**
Supervisors Daly, Peskin, Leno, Newsom

Resolution commending the Asian and Pacific Islander Business and Information Services for providing important free services and advice to the Asian and Pacific Islander communities.
6/24/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021149 **[Commending the San Francisco Gay Men's Chorus]**
Supervisors Daly, Leno, Newsom

Resolution commending the upcoming 25th Anniversary of the San Francisco Gay Men's Chorus and its continuing contributions to the community and the music world.
6/24/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021158 **[Reappointment to Telecommunications Commission]**
Mayor

Resolution approving the Mayor's reappointment of Major General James M. Myatt to the Telecommunications Commission, for the term ending July 1, 2005. (Mayor)
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021101 **[Accept-Expend State Grant]**
Supervisor Sandoval

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $30,000 from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety.

6/17/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

6/24/02, CALLED FROM COMMITTEE. Supervisor Sandoval requested this matter be scheduled for the July 1, 2002 Board meeting.

Motions

021150 **[Appointments, Planning Commission]**
Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Lisa Feldstein, Kevin Hughes, and Marylyn Sue Lee to the Planning Commission, terms to be determined by lot.

Lisa Feldstein, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Kevin Hughes, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Marylyn Sue Lee, Seat 3, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021151 **[Appointments, Planning Commission]**
Supervisor Ammiano

Motion rejecting the Board of Supervisors President's appointment of Lisa Feldstein, Kevin Hughes, and Marylyn Sue Lee to the Planning Commission.
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021152 **[Appointments, Board of Appeals]**
Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals, terms to be determined by lot.

Doug Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
(Appointment of Doug Shoemaker, seat 1, recommended. Supervisor Hall dissenting.)
(Appointment of Hisashi Sugaya, seat 2, recommended.)
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021153 **[Appointments, Board of Appeals]**
Supervisor Ammiano

Motion rejecting the Board of Supervisors President's appointment of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals.
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021154 **[Appointments, Board of Appeals]**
Mayor

Motion approving the Mayor's nomination of Arnold Chin, John McInerney, and Sabrina Saunders to the Board of Appeals, terms to be determined by lot. (Mayor)

Arnold Chin, Seat 3, new position, must be nominated by the Mayor, term to be determined by lot.
John McInerney, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Sabrina Saunders, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021155 **[Appointments, Board of Appeals]**
Mayor

Motion rejecting the Mayor's appointments of Arnold Chin, John McInerney, and Sabrina Saunders to the Board of Appeals. (Mayor)
6/24/02, RECEIVED AND ASSIGNED to Finance Committee.

021156 **[Appointments, Planning Commission]**
Mayor

Motion approving the Mayor's nomination of Jon Ballesteros, Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission, terms to be determined by lot. (Mayor)

Jon Ballesteros, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Hector Chinchilla, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.
Dr. William Fay, Seat 6, new position, must be nominated by the Mayor, term to be determined by lot.
Frances Lee, Seat 7, new position, must be nominated by the Mayor, term to be determined by lot.
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021157 **[Appointments, Planning Commission]**
Mayor

Motion rejecting the Mayor's appointments of Jon Ballesteros, Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission. (Mayor)
6/24/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

021045 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Yun Fong Kwan, et al., against the City and County of San Francisco for $90,000; the lawsuit was filed on March 22, 1999 in Superior Court, Case No. 302-154; entitled Kwan, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

6/18/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021125 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by one hundred and one individual plaintiffs, in two separate lawsuits known as Rooker, et al. and Weaver, et al. against the City and County of San Francisco, for $862,581.63 in back overtime wages, $137,951.82 in interest payments and $378,043.46 in attorneys' fees and costs; the Rooker lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095 VRW, entitled Rooker, et al. v. City and County of San Francisco; the Weaver lawsuit was filed on June 27, 2000 in the United States District Court, Case No. C00-2271 VRW, entitled Weaver, et al. v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

6/19/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021127 **[Setting Fees for City Day Camps]**

Ordinance amending the San Francisco Park Code by adding Section 12.15, setting fees for participating in day camps run by the Recreation and Park Department. (Mayor)

6/19/02, RECEIVED AND ASSIGNED to Budget Committee.

PROPOSED RESOLUTIONS

021039 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Alyce M. Satten against San Francisco for $40,000; claim was filed on June 4, 2001. (City Attorney)

(Public Benefit Recipient.)

6/18/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021072 **[Accept-Expend California Integrated Waste Management Board Local Government Household Hazardous Waste Grant, Fiscal Year 2002/2003]**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $69,507.24 from the California Integrated Waste Management Board for educating San Francisco residents and Conditionally Exempt Small Quantity Generators (CESQGs) about the proper disposal of universal waste lamps and to expand opportunities for residential disposal of universal waste lamps. (Environment)

6/14/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021124 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Arnulfo O. Felin against San Francisco for $27,619.65; claim was filed on April 16, 2001; additional material terms of said settlement are none. (City Attorney)

(Public Benefit Recipient.)
6/19/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021126 **[Third Amendment to Lease of SFPUC Property for Operation of a Gravel Quarry]**

Resolution authorizing a Third Amendment to Lease of Public Utilities Commission Land between the City and County of San Francisco and Santa Clara Sand and Gravel, in Alameda County. (Public Utilities Commission)
6/18/02, RECEIVED AND ASSIGNED to Finance Committee.

021130 **[Approval of Lease with the U.S. Customs Service in West Field Cargo Building 1]**

Resolution approving and authorizing the execution of a Lease with the U.S. Customs Service for space in West Field Cargo Building 1. (Airport Commission)
6/19/02, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

Requests Granted

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To investigate and report on the feasibility of installing a stop sign at the corner of LaSalle Avenue and Cashmere Street.
Due: July 30, 2002

From: Supervisor Hall
To: Director, Planning Department
Requesting/Inquiring: To report on the scope of the Environmental Impact Report for the proposed Stonestown development in the areas of geology/topography, population, noise, and utilities/public services.

From: Supervisor Sandoval
To: Director, Norcal Waste Systems, Inc.
Requesting/Inquiring: To report on the feasibility of waiving the fees for one bulky item dropped-off per month for every San Francisco household.

From: Supervisor Newsom
To: Chief, Fire Department
Requesting/Inquiring: To report on past incidents of gas line ruptures and irregularities in gas flow due to seismic activity in San Francisco; including empirical data regarding previous ruptures due to seismic activity and dates and specifics of these incidents, and on the feasibility and necessity of the instillation of seismic gas valves in new and existing residential buildings. Supervisor Newsom would appreciate an expeditious response to this inquiry.

From: Supervisor Gonzalez
To: Public Defender
Requesting/Inquiring: To report on all cases in the department, specifically: for each case, give the name of the attorney assigned to the case, the case name, the court number, what the charge is, and the current status of the case.

In Memoriams

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Barbara Wheatland (Supervisor Ammiano)
Agnes Albert (Supervisor Leno)
Chester Chin (Supervisor Hall)
John M. Maughan (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 7:33 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 19, 2002

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
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Monday, July 1, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Ammiano	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 26

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Hall, Maxwell, McGoldrick, Peskin, Sandoval - 5.

Quorum present.

Supervisors Hall, Maxwell, McGoldrick, Peskin were noted present at 2:01 p.m.

Supervisor Sandoval was noted present at 2:03 p.m.

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

There were none.

Privilege of the Floor

Supervisor Newsom, seconded by Supervisor Leno, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guest

Supervisor Newsom introduced, welcomed and commended Fred Lau, Chief of Police.

Supervisor Hall introduced, welcomed and presented certificates of honor to Sergeant Mikail Ali, Officer Kevin Knoble, and Officer Ignacio Martinez from Ingleside Station.

Supervisor McGoldrick introduced and welcomed David Anderson, Zoo Director.

CONSENT AGENDA

Recommendations of the Health and Human Services Committee

020895 **[Child Care Health Consultation Services to Family Childcare Providers]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $69,151 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to extend current child care health consultation services to family childcare providers, for the period of September 1, 2001 to June 30, 2002. (Public Works Department)

Resolution No. 467-02
ADOPTED

020909 **[Primary scientific oversight and coordination for ongoing AIDS research studies in Africa]**
Resolution authorizing the San Francisco Department of Public Health, AIDS Office, (SFDPH,AIDS) to enter retroactively into an agreement with The Regents of the University of California San Francisco (UCSF), the primary contractor, to accept and expend funds in the amount of $10,623 to participate in AIDS prevention studies in Africa, for the period of March 1, 2002 to December 31, 2002. (Public Health Department)

Resolution No. 468-02
ADOPTED

Recommendation of Rules and Audits Committee

020402 **[Appointment]**
Resolution appointing Deborah Doyle, seat 1, term ending June 30, 2004, to the Bay Area Library and Information System Advisory Board.

1 Seat Being Considered
Deborah Doyle, succeeding herself, seat 1, must represent public at large and underserved residents for a new two year term ending June 30, 2004.

Resolution No. 465-02
ADOPTED

Recommendation of the Transportation and Commerce Committee

020749 **[Speed Limit - Buena Vista Terrace]**
Ordinance adding Section 174.7 to the San Francisco Traffic Code establishing a 20-MPH speed limit along a portion of Buena Vista Terrace.

(April 29, 2002 Certification from Department of Parking and Traffic: Categorically Exempt from Environmental Review Class 1(c), Existing Highways and Streets.)

Ordinance No. 149-02
FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

021164 **[Adopting findings related to the appeal of the Planning Commission's certification of the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project FSEIR]**

Motion adopting findings related to the disapproval of the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco. (Clerk of the Board)

(Companion measure to Files 020946, 020947, 020948, 020949.)

7/1/02: Amendment on page 2, line 10 replace the word "Incorporate" with the words "More fully". On page 2, line 11 after the words "SEIR" delete the words "as requested by State Lands Commission". On page 2, line 15 after the word "unauthorized" delete the word "all". On page 3, line 2 replace the words "aimed at reducing" with the words "that will reduce". On page 3, line 5 delete the word "potential". On page 3, line 6 delete the word "potential".

Supervisor Newsom, seconded by Supervisor Peskin, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 3 - Daly, Gonzalez, Sandoval

Motion No. M02-100

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From the Clerk

(Only one of the following two motions should be adopted.)

020770 **[Appeal, Conditional Use, 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion approving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Filed on May 10, 2002.)

Continued to July 8, 2002.

Supervisor Leno, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

020771 **[Appeal, Conditional Use, 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion disapproving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Continued to July 8, 2002.

Supervisor Leno, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

020772 **[Findings - 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.0818C, on property located 2455 Bush Street (a.k.a 1770 Scott Street), for action by the Board at its next meeting. (Clerk of the Board)

Continued to July 8, 2002.

Supervisor Leno, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Recommendation of the Finance Committee

021068 **[Rescinding appropriation authority for Airport capital projects, and appropriate funding for capital projects]**

Supervisors Peskin, Daly

Ordinance rescinding $1,087,448,058 of unencumbered appropriation authority for airport capital projects and appropriating $326,341,870 in fund equity and $220,316,885 from future bond funds for a total of $546,658,755 for capital projects at the Airport Commission for fiscal year 2001-02, placing $5,000,000 for the Runway Reconfiguration Project on the Board of Supervisors reserve, and adopting findings.

(Fiscal impact.)

Ordinance No. 159-02

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Health and Human Services Committee

020293 [Prohibiting Urination and Defecation]
Supervisors Hall, Daly, Newsom

Ordinance amending Article 2 of the San Francisco Police Code by adding Section 153 to prohibit public urination and defecation.

07/01/02- Amended by Supervisor Hall on page 1, line 17 delete "(c) Enforcement. This section shall not become effective until a determination has been made by the Health Commission that an appropriate number of public restrooms are available for public use."

Supervisor Hall, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 6 - Hall, Leno, Maxwell, Newsom, Peskin, Yee
Noes: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Sandoval

07/01/02-Amended by Supervisor Leno on page 1, line 1 replace the word "Defection" with the word "Defecation". On page 1, line 9 replace the word "Defection" with the word "Defecation".

Supervisor Leno, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

07/01/02-Amended by Supervisor Leno on page 1, line 18 to add "(c) The Department of Public Works shall work with other City Departments to post and update on the City's website a list of the locations and hours of operation of all available City-operated restroom facilities."

Supervisor Leno, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

07/01/02-Amended by Supervisor Ammianò page 2, line 1 to add "(d) Exemption: Persons who violate this ordinance due to verified medical conditions shall be exempt from the enforcement provisions of this ordinance."

President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Ordinance amending Article 2 of the San Francisco Police Code by adding Section 153 to prohibit public urination and defecation, providing an exemption for persons with a verified medical condition.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020300 **[Public Toilets]**
Supervisors Hall, Daly, Newsom

Resolution urging the Mayor to request that the Department of Public Works, the Recreation and Park Department and any other city departments with public restrooms to open such facilities and to the greatest extent possible establish new public restroom facilities.

Resolution No. 475-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 1 - Peskin

Referred from the Neighborhood Services and Recreation Committee without Recommendation

020546 **[SFUSD to Offer Students Neighborhood School Facilities]**
Supervisor Yee

Resolution urging the San Francisco Unified School District (SFUSD) to provide adequate facilities to accommodate all public school enrollees sufficient school space in their neighborhoods.

07/01/02- Amended on page 1, line 8 to delete the word "ethnicity's" and replace it with the word "ethnicities". On page 1, line 21 delete the word "student's" and replace it with the word "students".

Supervisor Yee, seconded by Supervisor Hall, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 7 - Ammiano, Daly, Hall, McGoldrick, Newsom, Sandoval, Yee
Noes: 3 - Gonzalez, Leno, Maxwell
Absent: 1 - Peskin

Resolution No. 476-02
ADOPTED AS AMENDED by the following vote:
Ayes: 7 - Ammiano, Daly, Hall, McGoldrick, Newsom, Sandoval, Yee
Noes: 3 - Gonzalez, Leno, Maxwell
Absent: 1 - Peskin

NEW BUSINESS

Recommendations of the Budget Committee

020323 **[Amending the San Francisco Fire Code to increase fees for services]**
Ordinance amending Section 106 of the San Francisco Fire Code to increase Fees for Fire Department Services, to become operative on its effective date or on July 1, 2002 whichever is later. (Fire Department)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020471 **[Increasing the Annual Residential Rent Ordinance Fee to a maximum of $27.00 per unit]**

Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6 to increase the maximum annual residential rent ordinance fee from $19 per unit in fiscal year 2000-2001 or $16 per unit in other years, to $27.00 per unit; and requiring the amount of the increase to be paid in equal halves by the owner(s) and tenant(s) of each residential unit; this increase will sunset in two years. (Rent Stabilization and Arbitration Board)

Continued to July 8, 2002.

CONTINUED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021071 **[Amending Police Department permit and license fees]**

Mayor

Ordinance amending the San Francisco Police Code by amending Sections 2.26 and 2.27, to adjust permit and license fees for businesses regulated under the Police Code, and by adding Section 2.31, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021073 **[Patient Rates]**

Mayor

Ordinance amending Article 3 of the San Francisco Health Code by amending Section 128 to set patient rates for services furnished by the Department of Public Health, effective July 1, 2002. (Mayor)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021075 **[Ambulance fee schedule]**

Mayor

Ordinance approving a fee schedule for ambulance services provided by the San Francisco Fire Department and providing for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021076 **[Street fairs fees]**

Mayor

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, rather than 40 percent of the cost, to eliminate the $2,500 cap on charges for police services for street fairs where alcoholic beverages are served, to eliminate ISCOTT's authority to waive payment of the cost of police services for street fairs where alcoholic beverages are served, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

Continued to July 8, 2002.

President Ammiano, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021077 **[Raising license and other Animal Care and Control fees for dogs, cats, and other animals]**
Mayor

Ordinance amending the San Francisco Health Code by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to raise license and other Animal Care and Control fees for dogs, cats, and other animals, and by adding Section 41.26, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021079 **[Amending fees charged by the County Clerk for various services]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 8.33.1, 62.8, and 62.9, to adjust fees charged by the County Clerk for various services and to provide for annual adjustment of those fees to reflect changes in the Consumer Price Index. (Mayor)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021080 **[Amending Medical Examiner's fees]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Section 8.14, to adjust fees for services provided by the Medical Examiner, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021082 **[Adding a charge for administrative overhead when the City provides additional police and street-cleaning services to private parties]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 10B.2, 10B.3, and 10B.12, to require the City to charge for administrative overhead when it contracts with private parties to provide additional police and street-cleaning services, to prohibit the waiver of fees for additional police services except by ordinance of the Board of Supervisors, and to correct a citation to the Charter. (Mayor)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Health and Human Services Committee

020754 [City Resource Center on 6th Street]
Supervisors Daly, Leno, Ammiano

Resolution urging the Department of Health and Human Services to develop a plan to establish a City Resource Center on 6th Street.

Resolution No. 466-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Rules and Audits Committee

020783 [Establishing the San Francisco Entertainment Commission]
Supervisors Leno, McGoldrick, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Ordinance: (1) amending the San Francisco Administrative Code to add a new Chapter 90 establishing the San Francisco Entertainment Commission; (2) providing for assistance from the Police Department to the Entertainment Commission for the transfer of specified permitting and licensing functions from the Police Department to the Entertainment Commission; (3) amending Article 1 of the San Francisco Police Code (i) relative to renewals of permits and licenses generally, and (ii) to transfer permitting responsibility for the use of loudspeakers or sound amplifying equipment outside buildings or out of doors from the Police Department to the Entertainment Commission; (4) amending Article 15 of the San Francisco Police Code to transfer licensing responsibility for amusements from the Police Department to the Entertainment Commission; (5) amending Article 15.1 of the San Francisco Police Code to transfer permitting responsibility for Places of Entertainment from the Police Department to the Entertainment Commission; and (6) amending Article 15.2 of the San Francisco Police Code to transfer permitting responsibility for Extended Hours Premises from the Police Department to the Entertainment Commission.

(Fiscal impact.)
(Supervisor Hall dissenting in Committee.)

Continued to July 8, 2002.
Supervisor Gonzalez, seconded by Supervisor Leno, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020649 [Urging Bechtel Corporation to withdraw their punitive legal claim]
Supervisors Gonzalez, Daly

Resolution urging Bechtel Corporation and its Bolivian subsidiary, Aguas del Tunari, to immediately withdraw their punitive legal claims in international courts against Bolivia and its people and to abstain from engaging in any further litigation or mediation claims - either within or without U.S. borders - with the South American country.

Resolution No. 477-02
ADOPTED by the following vote:
Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Peskin, Yee
Noes: 2 - Hall, Newsom
Absent: 2 - McGoldrick, Sandoval

020803 **[Charter Amendment - Retirement Benefits for Police and Fire Personnel]**
Supervisors Ammiano, Sandoval, Leno, Maxwell, Newsom, McGoldrick

Charter amendment (First Draft) to add Sections A8.595 through A8.595-14, A8.596 through A8.596-14, A8.597 through A8.597-15, and A8.598 through A8.598-15 thereto, relating to retirement benefits for police officers and firefighters, and by amending Sections A8.500-1 and A8.500-2 to conform to the new retirement plans.

(Fiscal impact.)

Continued to July 8, 2002.

Supervisors Leno and Newsom requested to be added as co-sponsors.

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 2 - McGoldrick, Sandoval

SPECIAL ORDER 3:00 P.M.

020900 **[Public Hearing - Appeal, Conditional Use, 3130-3154 Noriega Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No.16390 dated April 25, 2002, approving Conditional Use Application No. 2001.0995CE, approving a conditional use authorization under Planning Code Sections 121.1, 710.11, and 710.21 to develop a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 3,400 square feet of commercial/retail space and nine dwelling units on a lot with a total area exceeding 5,000 square feet, in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District on property located at 3130-3154 Noriega Street, on the north side of Noriega Street at 39th Avenue; Lot 007, in Assessor's Block 2011.

(Appeal filed May 22, 2002; a Certificate of Exemption/Exclusion from Environmental Review for Case No. 2001.0995CE was issued on March 27, 2002 by Planning Department; companion measure to File 202900, 020901, 020902, 020903, District 4.)

Appellants: Steve Williams; Carolyn Quan; Sherice Hond; Charles Yandol; Charles Michaels; Sophie Warren; Ellen Roshan; Helen Lam; Douglas Lee; female speaker; Ms. Ng; Twan Win; female speaker; Robert Chan.

Respondents: Gerald Green, representing Planning Commission; Edwin Lee; Ron Miguel; Helen Lee; Mickey Wilson; Frank Mong; Dow yee Sheng; Mr. Pong; Steven Lau; female speaker; Francis Yee; Hong Louie; female speaker; Grace Lee; Howard Lee; Gwenn Anderson.

A rebuttal period was allowed.

The President then declared the hearing closed.

HEARD AT PUBLIC HEARING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

020901 **[Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion approving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to July 8, 2002.

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

020902 **[Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Continued to July 8, 2002.

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

020903 **[Findings - 3130-3154 Noriega Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.0995CE, on property located at 3130-3154 Noriega Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to July 8, 2002.

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

021168 **[Hearing - Report of the Presidio Work Group]**
Supervisors Yee, Newsom

Hearing on a report of the Presidio Work Group participant's findings, concerns or recommendations regarding the Presidio.

(Pursuant to File 021103, Board to sit as Committee of the Whole on July 1, 2002.)

Heard in Public Hearing: Speakers: Joan Geraldo; Ms. Ventresca; male speaker; Mr. Johnson; Howard Transin; Steven Kregen; Jim Maxwell; Bill Hensen; male speaker; Mary Lou; Francisco Pansaca; Karen Pearson; William Selinger; Eddie Dearinger; Catherine Dyhan; male speaker; Patricia Boyde; Craig Middleton; Hiliary Gildman; John Copper; Him Choppe; Johnny Gwynn; Emily Lomen.

The President then declared the hearing closed.

Supervisor Newsom requested to be added as a co-sponsor.
HEARD AT PUBLIC HEARING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

COMMITTEE REPORTS

Recommendation of Budget Committee

011178 **[Motor Vehicle for Hire Permit Filing Fees and License Fees]**
Ordinance amending Sections 2.26.1 and 2.27.1 of the Police Code to amend schedules for motor vehicle for hire permit filing fees and license fees. (Taxi Commission)

No acton taken. Item in committee.

021078 **[Enacting a new Police Emergency Alarm Ordinance requiring permits for alarm systems and imposing penalties for false alarms]**
Mayor

Ordinance amending the San Francisco Police Code by repealing the current Article 37 (Police Emergency Alarm Ordinance), Sections 3700 though 3710; by enacting a new Article 37 (Police Emergency Alarm Ordinance), Sections 3700 through 3720, providing for permitting of alarm systems and penalties for false alarms; and by amending Police Code Section 2.26, to set permit fees for commercial and residential alarm systems. (Mayor)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021081 **[Setting fees for City golf courses]**
Mayor

Ordinance amending the San Francisco Park Code by adding Sections 12.12, 12.13, and 12.14, setting fees for use of City golf courses and adding Section 12.20, providing for annual adjustment of golf fees and day camp fees to reflect changes in the Consumer Price Index. (Mayor)

PASSED, ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

PUBLIC COMMENT

Abdalah Megahed, homelessness;
Mr. Lee, foreign flags;
James Chaffie, public library;
female speaker, Mission Drop in Center;
Karen Kersen, Planning Commission mistakes;
female speaker, African economic condition;
male speaker, Canadian Flag.

CALLED FROM COMMITTEE by the Board

021101 **[Accept-Expend State Grant]**
Supervisor Sandoval

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $30,000 from the State of California Controller's Office for funding technology-related acquisitions to enhance public safety.

Resolution No. 469-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

021143 **[Accept a gift of a comprehensive breast center and associated equipment]**
Supervisor Newsom

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift of a comprehensive breast center and associated equipment, valued at $3,598,000, donated by the Avon Products Foundation through the San Francisco General Hospital Foundation, and approving the naming of the center "The Avon Foundation Comprehensive Breast Center".

Resolution No. 470-02
ADOPTED

021144 **[Presidio Trust Management Plan]**
Supervisors Newsom, Yee

Resolution urging the Presidio Trust to delay action on the Presidio Trust Management Plan to August 21, 2002.

Resolution No. 479-02
ADOPTED

021146 **[Urging Passage of AB 1080]**
Supervisor Leno

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign AB 1080 which requires state contractors to provide equal benefits to gay and lesbian employees with domestic partners.

Resolution No. 471-02
ADOPTED

021147 **[Commending Jack Martens]**
Supervisors Leno, Newsom

Resolution commending Jack Martens for his outstanding dedication to the education of generations of San Francisco school children and congratulate him as the recipient of this year's Agnes Albert Prize for Excellence in Music Education from the San Francisco Symphony.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 472-02
ADOPTED

021148 **[Commending the Asian and Pacific Islander Business and Information Services]**
Supervisors Daly, Peskin, Leno, Newsom

Resolution commending the Asian and Pacific Islander Business and Information Services for providing important free services and advice to the Asian and Pacific Islander communities.

Supervisors Newsom and Leno requested to be added as co-sponsors.

Resolution No. 473-02
ADOPTED

021149 **[Commending the San Francisco Gay Men's Chorus]**
Supervisors Daly, Leno, Newsom

Resolution commending the upcoming 25th Anniversary of the San Francisco Gay Men's Chorus and its continuing contributions to the community and the music world.

Supervisors Newsom and Leno requested to be added a co-sponsors.

Resolution No. 474-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Severed from For Adoption Without Committee Reference

Suspend Rule 3.11 of the Rules of Order of the Board of Supervisors

Supervisor Hall, seconded by Supervisor Daly, moved to suspend the Rules of Order of the Board of Supervisors. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

021109 **[SURTASS LFA Sonar]**
Supervisor Daly

Resolution opposing the United States of America's Department of the Navy's proposed deployment of surveillance towed array sensor system low frequency active (SURTASS LFA) sonar.

Supervisor Hall requested this matter be severed so it could be considered separately.

Resolution No. 478-02

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 1 - Hall
Absent: 1 - Sandoval

021145 **[Urging passage of AB 2242]**
Supervisor Leno

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign AB 2242 which will preserve the purchasing power of the state minimum wage.

Supervisor Leno requested this matter be severed so it could be considered separately.

Supervisor Leno requested this item be referred to committee.

REFERRED to the Transportation and Commerce Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021169 [Affordable Housing Bonds Special Election]
Mayor, Supervisors Ammiano, Daly, McGoldrick, Leno

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 5, 2002, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Two Hundred Fifty Million Dollars ($250,000,000) to finance the acquisition, construction and/or rehabilitation of housing affordable to low- and moderate-income households and downpayment assistance to low- and moderate-income first-time homebuyers; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code. (Mayor)

(Fiscal impact.)
7/1/02, RECEIVED AND ASSIGNED to Finance Committee.

021170 [Veterans Building Special Election]
Supervisor Sandoval

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Twenty-Two Million Seven Hundred Fifty-Five Thousand Dollars ($122,755,000) for the acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction by the City and County of the San Francisco War Memorial Veterans Building, and all other works, property and structures necessary or convenient for the foregoing purposes; providing for the use of available annual revenues on deposit in the War Memorial Special Fund to reduce the property tax impact; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)
7/1/02, RECEIVED AND ASSIGNED to Finance Committee.

021171 **[War Memorial Special Fund]**
Supervisor Sandoval

Ordinance amending Article XIII of Chapter X of the San Francisco Administrative Code regarding the War Memorial Special Fund (the "Fund") by amending Section 10.100-361 to correct outdated Administrative Code section references and clarify the uses of moneys in the Fund.

(Fiscal impact.)
7/1/02, RECEIVED AND ASSIGNED to Finance Committee.

021172 **[Pedestrian Safety and Livable Streets Special Election]**
Supervisor Ammiano

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Fifty Million Dollars ($150,000,000) to finance street resurfacing, curb ramp construction, sidewalk improvement and street structure improvement projects, street signal and fire alarm call box improvement projects, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)
7/1/02, RECEIVED AND ASSIGNED to Finance Committee.

021185 **[Emergency Response Fee Amendments]**
Supervisors Daly, Ammiano, Gonzalez, McGoldrick, Sandoval, Leno

Ordinance amending Section 755 of the San Francisco Business and Tax Regulations Code by increasing the Emergency Response Fee rates for standard telephone access lines from $1.00 to $1.25 per month, for trunk lines from $7.50 to $9.38 per month, and for high capacity trunk lines from $135 to $168.75 per month.
7/1/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 7/31/2002.

021191 **[Zoning Map Amendment in connection with Laguna Honda Replacement Project]**
Supervisor Hall

Ordinance amending Zoning Map Sheet 6H of the City and County of San Francisco for property located at Assessor's Block 2842 to change the height district classification from 80D to 90D and a portion of the area designated as OS to 90D; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Companion measure to File 021183.)
7/1/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Resolutions

020726 **[Increasing Fee Charged to Participants in First Offender Prostitution Program]**
Mayor

Resolution approving increase in authorized fee for the First Offender Prostitution Program to $1,000. (Mayor)
5/6/02, RECEIVED AND ASSIGNED to Finance Committee.

5/31/02, FILED PURSUANT TO RULE 5.37. Withdrawn by Mayor's Office.

6/26/02, REACTIVATED PURSUANT TO RULE 5.25 to Finance Committee. June 26, 2002 - Reactivated pursuant to request of sponsor and approval of President.

7/1/02, ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the July 10, 2002 meeting.

7/1/02, SUBSTITUTED. Submitted by the Mayor bearing same title.

021182 **[Rescheduling the September 16, 2002 meeting of the Board of Supervisors to September 17, 2002]**
Supervisor Ammiano

Resolution rescheduling the September 16, 2002 meeting of the Board of Supervisors to September 17, 2002 at 2:00 p.m.
7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021183 **[CEQA Findings for the Laguna Honda Replacement Project]**
Supervisor Hall

Resolution affirming certification of the Final Environmental Impact Report and adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of a Zoning Map Amendment for the Laguna Honda Replacement Project.
7/1/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021189 **[Skateboarding Task Force]**
Supervisor Newsom

Resolution establishing a Skateboarding Task Force that will provide policy recommendation, and advise the Board Of Supervisors, Recreation and Park Department, Police Department, San Francisco Unified School District, Department of Public Works and Port Commission regarding the expansion and creation of Skateboarding policies and activities in the City and County of San Francisco.
7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021193 **[Extending the Planning Review Period for Secondary Units]**
Supervisor Peskin

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for the secondary units.
7/1/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021194 **[Muwekma Ohlone Tribe]**
Supervisors Newsom, Daly, Peskin

Resolution urging the United States Congress, the Department of the Interior and its Bureau of Indian Affairs to reaffirm and restore the Muwekma Ohlone Tribe of the San Francisco Bay Area as a Federally Acknowledged Indian Tribe.
7/1/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021195 **[Commending San Francisco Chapter of the National Organization for Women]**
Supervisors Newsom, Daly, Peskin

Resolution commending the San Francisco Chapter of the National Organization for Women for its continued efforts to empower women and its continued vigilance to attempts by others to limit the reproductive choice of women.
7/1/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021196 **[Commending Teddy Witherington and SF LGBT Pride Committee]**
Supervisors Leno, Ammiano, Maxwell, Daly

Resolution commending Teddy Witherington and the San Francisco Lesbian, Gay, Bisexual and Transgender Pride Committee.
7/1/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

021197 **[Municipal Attorney's Association "give-back" proposal]**
Supervisor Gonzalez

Hearing to discuss an alternative "give-back" proposal drafted by the Municipal Attorney's Association.
7/1/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021088 **[Terms of Office - Planning Commission]**
Drawing of lots for the staggered terms of the new Planning Commission members. (Clerk of the Board)

(The Clerk of the Board of Supervisors shall determine by lot which two of the four Mayoral appointees shall serve an initial two-year term and which one of the three appointees of the President of the Board of Supervisors shall serve an initial two-year term. The remaining appointees shall serve four-year terms. All subsequent terms shall be four years.)
6/26/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration July 15, 2002, Special Order at 3:00 p.m.

021089 **[Terms of Office - Board of Appeals]**
Drawing of lots for the staggered terms of the new Board of Appeals members. (Clerk of the Board)

(The Clerk of the Board of Supervisors shall determine by lot which two of the three Mayoral appointees shall serve an initial two-year term and which one of the two appointees of the President of the Board of Supervisors shall serve an initial two-year term. The remaining appointees shall serve four-year terms. All subsequent terms shall be four years.)
6/26/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration July 15, 2002, Special Order at 3:00 p.m.

Motions

021181 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
7/1/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021198 **[Legislative Analyst Request]**
Supervisor Leno

Motion asking the Legislative Analyst to research the impact of new fees for street fairs that serve alcohol. The research should explore the impact on small and large street fairs operational ability and grant programs to non-profits if police costs are paid at 100% cost. Additionally, the office should research on what basis the decision is made for the amount of police needed for each event and how police services are provided in other cities.
7/1/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration July 8, 2002.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

021135 **[Fire Code]**

Ordinance repealing the San Francisco Fire Code and adopting, in its entirety, a new San Francisco Fire Code. (Fire Department)

6/20/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

PROPOSED RESOLUTIONS

021136 **[Contracting out Convention Facilities management, operation and maintenance services]**

Resolution concurring with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees. (Administrative Services Department)

6/21/02, RECEIVED AND ASSIGNED to Finance Committee.

021138 **[Develop and implement plans for public health preparedness and response to bioterrorism]**
Supervisor Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $204,352 from the State of California Department of Health Services (CDHS), to further develop and implement plans for public health preparedness and response to bioterrorism and to enter into an agreement for the use of these funds; for the period of February 15, 2002 through August 31, 2003. (Public Health Department)

6/25/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021139 **[Confirming the appointment of Reverend Edgar E. Boyd to the San Francisco Redevelopment Agency]**

Resolution confirming the appointment of Reverend Edgar E. Boyd to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2003. (Mayor)

6/26/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be heard at the July 2, 2002 meeting.

021165 **[Amended Nondisposal Facility Element]**
Supervisor Daly

Resolution adopting an amended Nondisposal Facility Element of the City's Integrated Waste Management Plan as required by California Public Resources Code Section 41730. (Environment)

6/26/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021167 **[Ground Lease of Redevelopment Agency Land for Dudley Apartments]**
Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3726, Lot 10, commonly known as 172 Sixth Street, to Mercy Housing California XXII, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low income households. (Mayor)

6/26/02, RECEIVED AND ASSIGNED to Board of Supervisors.

6/26/02, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on July 15, 2002, at 3:00 p.m.

Requests Granted

Clerk to Act - Meeting of July 1, 2002

Requests Granted

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To amend Section 2.100, Subsection D of the Government Code requiring that a campaign consultant or person being employed by a campaign be automatically triggered by the lobbyist ordinance at first contact.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft legislation to amend Section 2.100 of the Government Code, to extend post-employment restrictions of city employees to appearance before a public official in which a city employee has worked, for a period of two years.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To amend the lobbyist ordinance barring people who work on political campaigns from lobbying before the Board of Supervisors and the Mayor.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft a memorandum explaining to what degree organizations that receive public funds may participate and advocate within the political process. Moreover, please specifically address in what types of political activities non-profit organizations that receive public funds may participate. Finally, please address what potential penalties are in place if any violations are found.

From: Supervisor Leno
To: City Attorney
Requesting/Inquiring: To draft an ordinance extending the current RM-1 district in Assessor's Block 6501 to include Lot 042.

From: Supervisor Leno
To: City Attorney
Requesting/Inquiring: To draft legislation removing all references to the moral character of applicants for places of Entertainment as well as other unconstitutional provisions within entertainment permits.

In Memoriams

In Memoriams

Philip Whalen (Supervisor Gonzalez)
John (Sean) McGuffin (Supervisor Gonzalez)
Rosemary Clooney (Supervisor Leno)
Michael Kelly (Supervisor Yee)

ADJOURNMENT

There being no further business, the Board at the hour of 9:20 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 26, 2002

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
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Monday, July 8, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Ammiano	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 27

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor McGoldrick - 1.

Quorum present.

Supervisor McGoldrick was noted present at 2:03 p.m.

APPROVAL OF MEETING MINUTES

Motion to approve the April 29, 2002 Meeting Minutes.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to approve the April 29, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

Supervisor Hall indicated that File No. 020813 be severed from the consent agenda. (See infra)

CONSENT AGENDA

Recommendations of the Budget Committee

020323 **[Amending the San Francisco Fire Code to increase fees for services]**

Ordinance amending Section 106 of the San Francisco Fire Code to increase Fees for Fire Department Services, to become operative on its effective date or on July 1, 2002 whichever is later. (Fire Department)

Ordinance No. 148-02
FINALLY PASSED

021071 **[Amending Police Department permit and license fees]**
Mayor

Ordinance amending the San Francisco Police Code by amending Sections 2.26 and 2.27, to adjust permit and license fees for businesses regulated under the Police Code, and by adding Section 2.31, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

Ordinance No. 150-02
FINALLY PASSED

021073 **[Patient Rates]**
Mayor

Ordinance amending Article 3 of the San Francisco Health Code by amending Section 128 to set patient rates for services furnished by the Department of Public Health, effective July 1, 2002. (Mayor)

Ordinance No. 151-02
FINALLY PASSED

021075 **[Ambulance fee schedule]**
Mayor

Ordinance approving a fee schedule for ambulance services provided by the San Francisco Fire Department and providing for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

Ordinance No. 152-02
FINALLY PASSED

021077 **[Raising license and other Animal Care and Control fees for dogs, cats, and other animals]**
Mayor

Ordinance amending the San Francisco Health Code by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to raise license and other Animal Care and Control fees for dogs, cats, and other animals, and by adding Section 41.26, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

Ordinance No. 153-02
FINALLY PASSED

021078 **[Enacting a new Police Emergency Alarm Ordinance requiring permits for alarm systems and imposing penalties for false alarms]**
Mayor

Ordinance amending the San Francisco Police Code by repealing the current Article 37 (Police Emergency Alarm Ordinance), Sections 3700 though 3710; by enacting a new Article 37 (Police Emergency Alarm Ordinance), Sections 3700 through 3720, providing for permitting of alarm systems and penalties for false alarms; and by amending Police Code Section 2.26, to set permit fees for commercial and residential alarm systems. (Mayor)

Ordinance No. 154-02
FINALLY PASSED

021079 **[Amending fees charged by the County Clerk for various services]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 8.33.1, 62.8, and 62.9, to adjust fees charged by the County Clerk for various services and to provide for annual adjustment of those fees to reflect changes in the Consumer Price Index. (Mayor)

Ordinance No. 155-02
FINALLY PASSED

021080 **[Amending Medical Examiner's fees]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Section 8.14, to adjust fees for services provided by the Medical Examiner, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

Ordinance No. 156-02
FINALLY PASSED

021081 **[Setting fees for City golf courses]**
Mayor

Ordinance amending the San Francisco Park Code by adding Sections 12.12, 12.13, and 12.14, setting fees for use of City golf courses and adding Section 12.20, providing for annual adjustment of golf fees and day camp fees to reflect changes in the Consumer Price Index. (Mayor)

Ordinance No. 157-02
FINALLY PASSED

021082 **[Adding a charge for administrative overhead when the City provides additional police and street-cleaning services to private parties]**
Mayor

Ordinance amending the San Francisco Administrative Code by amending Sections 10B.2, 10B.3, and 10B.12, to require the City to charge for administrative overhead when it contracts with private parties to provide additional police and street-cleaning services, to prohibit the waiver of fees for additional police services except by ordinance of the Board of Supervisors, and to correct a citation to the Charter. (Mayor)

Ordinance No. 158-02
FINALLY PASSED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed from the Consent Agenda

Recommendation of the Neighborhood Services and Recreation Committee

Supervisor Hall Recused

Supervisor Sandoval, seconded by Supervisor Daly, moved to recuse Supervisor Hall from voting on File No. 020813. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

020813 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against City of Daly City and Olympic Club for receipt of an aggregate amount of $150,000.00 from City of Daly City and Olympic Club; the City and County of San Francisco filed the lawsuits on January 16, 2001 and May 16, 2001, respectively, in San Francisco Superior Court (Cases No. 318-127 and 321-393); other material terms of said settlement are each defendant to pay $75,000.00. (City Attorney)

Supervisor Hall requested this item be severed from consent to be considered separately.

Supervisor Hall excused from voting.
PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

020770 **[Appeal, Conditional Use, 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion approving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Filed on May 10, 2002.)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020771 **[Appeal, Conditional Use, 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion disapproving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Supervisor Gonzalez, seconded by Supervisor Newsom, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion disapproving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1, subject to the imposition of conditions by the Board of Supervisors. (Clerk of the Board)

(Requires eight votes.)

Motion No. M02-101

APPROVED by the following vote:

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

020772 **[Findings - 2455 Bush Street (a.k.a. 1770 Scott Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.0818C, on property located 2455 Bush Street (a.k.a 1770 Scott Street), for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M02-102

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From the Clerk

020901 **[Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion approving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to July 15, 2002.

Supervisor Yee, seconded by Supervisor Hall, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020902 **[Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Continued to July 15, 2002.

Supervisor Yee, seconded by Supervisor Hall, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020903 **[Findings - 3130-3154 Noriega Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2001.0995CE, on property located at 3130-3154 Noriega Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to July 15, 2002.

Supervisor Yee, seconded by Supervisor Hall, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of Rules and Audits Committee

020783 **[Establishing the San Francisco Entertainment Commission]**
Supervisors Leno, McGoldrick, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Ordinance: (1) amending the San Francisco Administrative Code to add a new Chapter 90 establishing the San Francisco Entertainment Commission; (2) providing for assistance from the Police Department to the Entertainment Commission for the transfer of specified permitting and licensing functions from the Police Department to the Entertainment Commission; (3) amending Article 1 of the San Francisco Police Code (i) relative to renewals of permits and licenses generally, and (ii) to transfer permitting responsibility for the use of loudspeakers or sound amplifying equipment outside buildings or out of doors from the Police Department to the Entertainment Commission; (4) amending Article 15 of the San Francisco Police Code to transfer licensing responsibility for amusements from the Police Department to the Entertainment Commission; (5) amending Article 15.1 of the San Francisco Police Code to transfer permitting responsibility for Places of Entertainment from the Police Department to the Entertainment Commission; and (6) amending Article 15.2 of the San Francisco Police Code to transfer permitting responsibility for Extended Hours Premises from the Police Department to the Entertainment Commission.

(Fiscal impact.)
(Supervisor Hall dissenting in Committee.)

7/08/02 Amendment of the whole bearing same title.

Supervisor Leno, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Daly requested to be added as co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Hall, Maxwell, Yee

Recommendations of the Budget Committee

021076 **[Street fairs fees]**
Mayor

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, rather than 40 percent of the cost, to eliminate the $2,500 cap on charges for police services for street fairs where alcoholic beverages are served, to eliminate ISCOTT's authority to waive payment of the cost of police services for street fairs where alcoholic beverages are served, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

Continued to July 15, 2002.

President Ammiano moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020471 **[Increasing the Annual Residential Rent Ordinance Fee to a maximum of $27.00 per unit]**
Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6 to increase the maximum annual residential rent ordinance fee from $19 per unit in fiscal year 2000-2001 or $16 per unit in other years, to $27.00 per unit; and requiring the amount of the increase to be paid in equal halves by the owner(s) and tenant(s) of each residential unit; this increase will sunset in two years. (Rent Stabilization and Arbitration Board)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 2 - Daly, Sandoval

Recommendation of the Health and Human Services Committee

020293 **[Prohibiting Urination and Defecation]**
Supervisors Hall, Daly, Newsom

Ordinance amending Article 2 of the San Francisco Police Code by adding Section 153 to prohibit public urination and defecation, providing an exemption for persons with a verified medical condition.

Ordinance No. 160-02
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

Recommendations of the Neighborhood Services and Recreation Committee

020424 **[Liquor License, Opera Plaza, 601 Van Ness Avenue]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Deidra F. Kahn for Rosebowl Florist and Wine Shop, Inc. located at Opera Plaza, 601 Van Ness Avenue (District 6), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 480-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020623 **[Liquor Licence Transfer, 500 Beach Street, Suite #61]**
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Fahim Shafik dba "Anchorage Liquor and Deli" from 1200 Union Street to 500 Beach Street, Suite #61 (District 3), will serve the convenience of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 481-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020748 **[Liquor License Transfer - Proposed Safeway Store No. 2606, Northeast Corner of 4th and King Streets]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license for the proposed Safeway Store #2606 from 625 Monterey Boulevard to the Northeast Corner of 4th Street and King Street (District 6), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 483-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020750 **[Liquor License, Pier 39, #K-106]**

Resolution determining that the issuance of a Type 21 off-sale general alcoholic beverage control license to Arko Designs, LLC, dba "California Marketplace" located at Pier 39, #K-106 (District 3), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 484-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020787 **[Liquor License, 1795 Geary Boulevard]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Yung Shin LLC dba "Kola Lounge" located at 1795 Geary Boulevard (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Resolution No. 485-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of Rules and Audits Committee

020803 **[Charter Amendment - Retirement Benefits for Police and Fire Personnel]**

Supervisors Ammiano, Sandoval, Leno, Maxwell, Newsom, McGoldrick

Charter amendment (First Draft) to add Sections A8.595 through A8.595-14, A8.596 through A8.596-14, A8.597 through A8.597-15, and A8.598 through A8.598-15 thereto, relating to retirement benefits for police officers and firefighters, and by amending Sections A8.500-1 and A8.500-2 to conform to the new retirement plans.

(Fiscal impact.)

Supervisors McGoldrick and Newsom requested to be added as co-sponsors.

ORDERED SUBMITTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

COMMITTEE REPORTS

From Health and Human Services Committee

020593 [Residential Rent Assistance Pilot Program]
Supervisors Ammiano, Daly, Maxwell

Ordinance establishing a General Fund residential rent assistance program for tenants whose federal rent subsidy in San Francisco has been reduced or revoked due to a failure to meet federal immigration status verification requirements imposed under Section 592 of the federal Quality Housing and Work Responsibility Act of 1998 ("QHWRA," Public Law 105-276, 42 U.S.C. 1436a), including tenants in San Francisco Housing Authority units and Section 8 units; providing criteria and procedures for disbursement of funding, with disbursements available commencing July 1, 2002; providing two outreach grants of $5,000 each; and identifying companion legislation that would provide funding of $349,000 from the City's General Fund for the first year of the Program (July 2002 through June 2003).

(Fiscal impact.)

Supervisors Daly and Maxwell requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

PUBLIC COMMENT

Patricia Boyde, Burger King conditional use permit;
Ernestine Weiss, tenant pass through;
John Dizano;
Tom McGunn, Entertainment Commission;
Richard Hat, Police Work, Homelessness;
Ed Ling, Homelessness, Board Salaries;
male speaker, homelessness;
Woody Ranclift, shipyard cleanup;
male speaker, child assistance.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

)21181 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M02-103
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Newsom, seconded by Supervisor Leno, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Newsom, seconded by Supervisor Leno, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021217 **[Committee of the Whole on July 15, 2002]**
Supervisor Newsom

Motion requesting the Board of Supervisors convenes as a Committee of the Whole on Monday, July 15, 2002 to consider legislation, which will amend the compliance date of Sprinkler Ordinance 165-01.

Motion No. M02-104

Supervisor Newsom, seconded by Supervisor Leno, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021218 [Requirements for automatic sprinklers in residential hotels]
Supervisor Newsom

Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to January 31, 2003; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002.
7/8/02, RECEIVED AND ASSIGNED to Board of Supervisors.

021219 [Tax Penalty Amnesty Program]
Supervisor McGoldrick

Ordinance amending the San Francisco Business and Tax Regulations Code to: (i) amend Article 17 thereof to establish a two month business tax penalty amnesty program during the 2002 - 2003 fiscal year, and (ii) amend Article 6 thereof to increase penalties for failing to pay taxes, underreporting of taxes, failing to file a tax return and failing to obtain a business registration certificate.
7/8/02, RECEIVED AND ASSIGNED to Finance Committee. (7/16/02 - Referred to Small Business Commission for comment and recommendation.)

021220 [City Parking Facilities]
Supervisor Daly

Ordinance amending the San Francisco Traffic Code 32.23 requiring that curbside parking adjacent to City or Unified School District public buildings be provided with parking meters and that all off-street parking facilities owned by the City charge market rates to City employees for use of parking spaces when the employees work within 1500 feet of any Municipal Railway transit stop.
7/8/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 8/7/2002.

021221 [Laws and procedures governing the enforcement of prevailing wages for workers on public work projects]
Supervisor Ammiano

Ordinance adding subsection 6.1(H), definition of prevailing wage; amending subsection 6.22(A)(6) to include a requirement concerning subcontractor licenses; amending subsection 6.22(B) to include a requirement that all contractor and subcontractors provide workers' compensation insurance certificates; amending subsection 6.22(E) concerning application and enforcement of prevailing wage requirements and assessment of penalties and backwages; amending subsection 6.22(O) to add further contractual requirements for the employment of apprentices and to add penalties for noncompliance; adding subsection 6.22(P) concerning safety requirements for contractors and subcontractors; amending section 6.24 to expand the authority of the Office of Labor Standards Enforcement to enforce requirements of state and federal law, to enforce working conditions and apprenticeship and to assess monetary penalties and backwages against public work contractors.
7/8/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 8/7/2002.

Resolutions

021222 [Urging St. Luke's Hospital to Remain Open]
Supervisors Ammiano, Daly

Resolution urging St. Luke's Hospital not to close its Emergency Room, Maternity Unit, or any other patient service due to the announced Registered Nurse strike.
7/8/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021223 [Senate Bill 1301 - Reproductive Privacy Act]
Supervisors Newsom, Peskin, Daly, Ammiano, Gonzalez

Resolution urging the State Legislature to adopt Senate Bill 1301, introduced by Senator Sheila Kuehl, relating to an act to amend Section 2253 of the Business and Professions Code, to add Article 2.5 to Chapter 2 of Part 2 of Division 106 of, and to repeal Sections 123400, 123405, 123407, 123410, 123415, and 123430 of the Health and Safety Code, relating to reproductive privacy.
7/8/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021224 [Authorizing the San Francisco Department of Aging and Adult Services to accept and expend Senior Facilities Special Funding]
Supervisors Sandoval, Peskin

Resolution authorizing the San Francisco Department of Aging and Adult Services to accept and expend Senior Facilities Special Funding from the California State Department of Aging in the amount of $250,000 to establish a senior center.
7/8/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

021225 [Timetable for Submission of Mayor's Budget]
Supervisor McGoldrick

Hearing to consider adoption of a new timetable for submission of budgets in subsequent fiscal years in light of the expiration of the current budget timetable ordinance on December 2002, considering the experience and lessons learned during this year's budget process.
7/8/02, RECEIVED AND ASSIGNED to Budget Committee.

021226 [SF General Hospital Long Range Service Delivery]
Supervisor Newsom

Hearing on the long-range service delivery plans of the San Francisco General Hospital Medical Center (SFGHMC) with the focus on the following: (1) The future role and services provided by SFGHMC. (2) To differentiate the range and types of future service the SF Department of Public Health should provide at the SFGHMC. (3) To determine how to best provide these services, including where? What costs are associated with these service provisions? And with whom?
7/8/02, RECEIVED AND ASSIGNED to Finance Committee.

021228 **[Revitalization and beautification of San Bruno Avenue in the Portola District]**
Supervisors Leno, Ammiano

Hearing to consider means of promoting the economic revitalization and beautification of San Bruno Avenue in the Portola District, including installing crosswalks, bicycle racks and crosswalk signals to make the area more pedestrian friendly, increasing the number of neighborhood residents who shop in the area, and considering the advantages of implementing a main street program.

7/8/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Motions

021227 **[Legislative Analyst Request]**
Supervisor Gonzalez

Motion asking the Legislative Analyst to survey other comparable municipalities on regulatory requirements imposed on hospitals who reduce hospital services. These requirements could be public notification, fees, or other mitigation measures.

7/8/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration July 15, 2002.

Introduced by the President at the Request of Departments

PROPOSED RESOLUTIONS

20910 **[Revenue Bond Election]**
Resolution calling and providing for a special election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 5, 2002 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the Public Utilities Commission in a principal amount not to exceed $3,628,000,000 to finance the acquisition and construction of improvements to the City's water system; and consolidating said special election with the General Municipal Election to be held on November 5, 2002; complying with Section 53410 of the California Government Code; finding the proposed project is in conformity with the priority of Planning Code Section 101.1(b) and the City's General Plan. (Public Utilities Commission)

(Fiscal impact.)

6/5/02, RECEIVED AND ASSIGNED to Finance Committee.

6/27/02, ASSIGNED to Finance Committee.

6/27/02, SUBSTITUTED. Substituted by the City Attorney 6/28/02, bearing new title.

020945 **[Submission of an Ordinance to the Voters authorizing Sewer Service Charge Rate Increases]**

Motion ordering the submission of an ordinance to the voters authorizing the Board of Supervisors to adopt and impose schedules of sewer service charges to be paid by users in accordance with the San Francisco Charter and Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code) that will provide an aggregate 12% increase of sewer service revenues, at an election to be held on November 5, 2002. (Public Utilities Commission)

6/12/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

6/27/02, TRANSFERRED to Finance Committee.

7/1/02, SUBSTITUTED. Substituted by the City Attorney 7/1/02, bearing same title.

7/1/02, ASSIGNED to Finance Committee.

021174 **[Stop Intersections]**
Supervisor Newsom

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
17th and Shotwell Streets, stopping 17th Street at Shotwell Street, making this intersection an all-way STOP;
El Camino Del Mar and Seacliff Avenue, stopping northbound El Camino Del Mar at Seacliff Avenue, making this intersection an all-way STOP;
Girard Avenue and Silliman Street, stopping Silliman Street at Girard Avenue, making this intersection an all-way STOP;
17th and Rhode Island Streets, stopping 17th Street at Rhode Island Street, making this intersection an all-way STOP;
Octavia and Washington Streets, stopping Octavia Street at Washington Street, making this uncontrolled T-intersection a one-way STOP; and
Alameda Street and Treat Avenue, stopping eastbound Alameda Street at Treat Avenue, making this uncontrolled T-intersection a one-way STOP. (Parking and Traffic Department)

(DPW Order No. 2452.)
(6/26/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in use of the street.)

7/1/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021179 **[Parking Regulations, Various Locations]**
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING ANYTIME, 8 PM - 8 AM, EVERYDAY - ESTABLISH
Mendell Street, west side, from 93 feet to 137 feet south of Oakdale Avenue (44-foot zone); and
Mendell Street, east side, from 3rd Street to 112 feet northerly (112-foot zone).

ONE-HOUR PARKING TIME LIMIT, APRIL THROUGH OCTOBER, 7 AM TO 10 PM, MONDAY THROUGH FRIDAY; 9 AM TO 6 PM, SATURDAY AND SUNDAY - RESCIND
ONE-HOUR PARKING TIME LIMIT, NOVEMBER THROUGH MARCH, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
PARKING METERS (EXTEND PARKING METER AREA 3) - ESTABLISH
3rd Street, both sides, between King and Townsend Streets.

PARKING METERS (EXTEND PARKING METER AREA 3) - ESTABLISH
King Street, north side, from 135 feet to 212 feet and 278 feet to 346 feet west of 2nd Street (77-foot and 68-foot zones, respectively).

RESIDENTIAL PERMIT PARKING AREA "Z" (TWO-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
27th Street, both sides, between Noe and Sanchez Streets (400 block).

UNMETERED MOTORCYCLE PARKING - RESCIND
UNMETERED MOTORCYCLE PARKING, 7 PM to 7 AM, DAILY - ESTABLISH
6th Street, east side, from nine feet to 30 feet south of Harrison Street, accommodating six motorcycle stalls.
4 HOUR PARKING TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Van Ness Avenue, center parking area, from North Point Street to 300 feet northerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
18th Street, north side, from 52 feet east of Rhode Island Street to Carolina Street.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 3rd Street to 140 feet easterly; and
Folsom Street, north side, from 2nd Street to 140 feet easterly.

NO PARKING ANYTIME - RESCIND
TOW AWAY NO PARKING ANYTIME - ESTABLISH
Burgoyne Street, both sides, south of Pacific Avenue.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
133 Palm Avenue, west side, from 263.5 feet to 270.5 feet south of Euclid Avenue (seven-foot zone in front of 133 Palm Street, accommodating two motorcycle stalls).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH
Broderick Street, east side, from Sutter Street to 15 feet northerly; and
Sutter Street, north side, from Broderick Street to 14 feet easterly.

NO PARKING ANYTIME - ESTABLISH
Sears Street, along the south terminus, south of Sickles Avenue.

NO PARKING ANYTIME - ESTABLISH
Lyon Street, east side, from Green Street to 150 feet southerly to the terminus and from the terminus to 36 feet westerly.

1366 Hayes Street, between the driveways of 1366 and 1370 Hayes Street (12-foot zone, accommodating two motorcycle stalls).

RESIDENTIAL PERMIT PARKING AREA "S" (TWO-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hill Street, both sides, between Church and Sanchez Streets (300 block); and
Sanchez Street, both sides, between Hill and Liberty Streets (portions of the 700 and 800 blocks).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
1570 -1574 Waller Street, north side, from 100 feet to 109.5 feet west of Belvedere Street (9.5 foot zone in front of 1570-1574 Waller Street, accommodating one motorcycle only). (Parking and Traffic Department)
7/1/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

equests Granted

From: Supervisor Newsom
To: Director, United States Department of Human Services
Requesting/Inquiring: To report whether they have applied or have plans to apply for a waiver from the U.S. Department of Agriculture (and other appropriate state agencies) in order to allow homeless and senior food stamp recipients to redeem food stamps at restaurants.

From: Supervisor Newsom
To: Director, Department of Human Services
Requesting/Inquiring: Requesting information regarding any plan or program to increase the number of CAAP recipients who are enrolled in:
1) Mandatory Rep Payee Services
2) CALM, SSIP, or PAES (moving people out of General Assistance)
3) Development of a "link card" in lieu of County Adult Assistance Program checks.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To develop and implement a COMPSTAT Model of Police management based upon the compilation, distribution, and utilization of "real-time" data in order to allow field managers to make better informed and more effective decisions.
The request shall include the following provisions:
1) Articulation of organizational mission/vision and realignment of organizational structure to facilitate the meeting of goals and objectives.
2) Identification of business practices and key performance indicators.
3) Collection of accurate and timely information.
4) Meaningful data analysis and dissemination of results to all levels of the organization.
5) Development of effective tactics and rapid development of resources.
6) Relentless follow-up and assessment.

From: Supervisor Hall
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To determine whether or not safety improvements can be made, or even need to be made, at the intersection of Skyline Boulevard and Lake Merced Boulevard.

From: Supervisor Hall
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To determine whether or not "No Overnight Parking" signs may be posted in the Lake Merced parking lot located at the southern end of Sunset Boulevard.

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft legislation which would split the cost filing fees for services provided by the Rent Board evenly between the building owner and tenants residing in the affected unit(s).

From: Supervisor Ammiano
To: Director, Housing Authority
Requesting/Inquiring: Requesting clear documentation as to how undocumented or non-citizens moving from the Section 8 waitlist will be affected by Quality Housing and Work Responsibility Act, to further clarify will undocumented or non-citizen members or entire family's pay a prorated rent or receive a full subsidy?

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To provide a determination as to: the definition and the enforceability of Conditions of

Approval made by the Planning Commission; the consequences of failure by the project sponsor to abide by conditions imposed by the Planning Commission; and the consequences of violation of fulfillment of Planning conditions in the granting of subsequent permits.

In Memoriams

Salvador Rodriguez Bustos (Supervisors Ammiano, Daly, Leno)
William Dufty (Supervisor Maxwell)
Rabbi Eugene Mihaly (Supervisor Leno)
John Madden (Supervisor Hall)

ADJOURNMENT

There being no further business, the Board at the hour of 4:28 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 17, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
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Monday, July 15, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Ammiano	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 28

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Newsom, moved to approve the May 6, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

There were none.

Privilege of the floor

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guests

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Ed Lopatin for 18 years of service as a City and County employee.

COMMUNICATIONS

Letter from Willie L. Brown Jr., Mayor, dated July 15, 2002 rescinding the nominations of Hector Chinchilla, Dr. William Fay, Frances Lee, and Jon Ballesteros to the Planning Commission.

CONSENT AGENDA

Recommendations of Finance Committee

020811 **[Contracting Out Own Recognizance, Pretrial Diversion, and Misdemeanant Services]**
Supervisor Hall

Resolution approving, retroactively, the Controller's certification that own recognizance release, pretrial court diversion, and supervised misdemeanant services provided to arrested persons in the City and County of San Francisco can be practically performed by private contractors at a lower cost for the year commencing July 1, 2002 than if work were performed by City and County employees. (Sheriff)

Resolution No. 490-02
ADOPTED

020991 **[Contracting out Crime Prevention Services]**
Resolution concurring, retroactively, with the Controller's Certification that Crime Prevention Services can be practically performed by private contractor for lower cost than similar work services performed by City and County Employees. (Police Department)

Resolution No. 493-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

020901 **[Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion approving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Leno, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020902 **[Appeal, Conditional Use, 3130-3154 Noriega Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Supervisor Peskin, seconded by Supervisor Leno, moved to amend the title after "Noriega Street" by inserting "and approving conditional use application No. 2001.0099 CE subject to the conditions imposed by the Planning Commission and subject to additional conditions imposed by the Board of Supervisors".
Add new Conditions 9,10 and 11 as follows:
"9. The owners of this building shall make the largest of the two bedroom units in the building subject to the City's Affordable Inclusionary Housing Ordinance.
10. No building permit or site permit shall be issued unless the Department of Building Inspection has received, reviewed, and approved a survey performed by a licensed surveyor showing that no point in the newly proposed building (other than ducts, flues, skylights, chimneys, mechanical equipment, ventilators, cooling towers, window-washing equipment, and other minor appurtenances necessary to the operation or maintenance of the structure itself) shall be at a higher elevation above sea level than the highest point of any portion of the parapet of the existing building known as "3100-3126 Noriega Street".
11. The Department of Building Inspection shall issue no Certificate of Final Completion and Occupancy for the project until it independently verifies,or confirms a surveyor's certification, by field inspection or otherwise, that the property owner has complied with the height limitation stated in Condition 10."

Supervisor Peskin, seconded by Supervisor Leno, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and approving Conditional Use Application No. 2001.0099 CE with additional conditions imposed by the Board of Supervisors and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

(Requires eight votes.)

Motion No. M02-109

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020903 **[Findings - 3130-3154 Noriega Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2001.0995CE, on property located at 3130-3154 Noriega Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M02-105

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021200 **[Adopting findings related to the conditional use appeal on property located at 2455 Bush Street (a.k.a 1770 Scott Street)]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 99.0818C (which allowed the lot size to exceed 9,999 square feet ((77,056 square feet existing)), allowed the use size to exceed 3,999 square feet ((21,000 gross square feet proposed)), allowed the demolition of approximately 5,900 square feet of a two-story building fronting on Bush Street, and allowed the construction of a new two and three story replacement structure and additions of approximately 11,700 gross square feet with new locker and fitness rooms to serve the existing tennis club ((The California Tennis Club)) per Sections 121.1, 121.2, 303, 711.11, 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2455 Bush Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition neighborhood (Lot 3 in Assessor's Block 680). (Clerk of the Board)

(Companion measure to Files 020769, 020770, 020771, 020772.)

Supervisor Gonzalez presented an amendment of the whole bearing same title.

Supervisor Gonzalez, seconded by Supervisor Newsom, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion No. M02-110

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

Recommendations of the Budget Committee

021076 **[Street fairs fees]**

Mayor

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, rather than 40 percent of the cost, to eliminate the $2,500 cap on charges for police services for street fairs where alcoholic beverages are served, to eliminate ISCOTT's authority to waive payment of the cost of police services for street fairs where alcoholic beverages are served, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

Continued to July 22, 2002.

Supervisor Leno, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020471 **[Increasing the Annual Residential Rent Ordinance Fee to a maximum of $27.00 per unit]**

Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6 to increase the maximum annual residential rent ordinance fee from $19 per unit in fiscal year 2000-2001 or $16 per unit in other years, to $27.00 per unit; and requiring the amount of the increase to be paid in equal halves by the owner(s) and tenant(s) of each residential unit; this increase will sunset in two years. (Rent Stabilization and Arbitration Board)

Ordinance No. 161-02

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 3 - Daly, Gonzalez, Sandoval

Recommendation of the Health and Human Services Committee

020593 **[Residential Rent Assistance Pilot Program]**
Supervisors Ammiano, Daly, Maxwell

Ordinance establishing a General Fund residential rent assistance program for tenants whose federal rent subsidy in San Francisco has been reduced or revoked due to a failure to meet federal immigration status verification requirements imposed under Section 592 of the federal Quality Housing and Work Responsibility Act of 1998 ("QHWRA," Public Law 105-276, 42 U.S.C. 1436a), including tenants in San Francisco Housing Authority units and Section 8 units; providing criteria and procedures for disbursement of funding, with disbursements available commencing July 1, 2002; providing two outreach grants of $5,000 each; and identifying companion legislation that would provide funding of $349,000 from the City's General Fund for the first year of the Program (July 2002 through June 2003).

(Fiscal impact.)

Ordinance No. 162-02
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

Recommendation of the Neighborhood Services and Recreation Committee

020813 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuits filed by the City and County of San Francisco against City of Daly City and Olympic Club for receipt of an aggregate amount of $150,000.00 from City of Daly City and Olympic Club; the City and County of San Francisco filed the lawsuits on January 16, 2001 and May 16, 2001, respectively, in San Francisco Superior Court (Cases No. 318-127 and 321-393); other material terms of said settlement are each defendant to pay $75,000.00. (City Attorney)

Supervisor Hall previously excused from voting.
Ordinance No. 165-02
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Excused: 1 - Hall

Recommendation of the Rules and Audits Committee

020783 **[Establishing the San Francisco Entertainment Commission]**
Supervisors Leno, McGoldrick, Ammiano, Gonzalez, Newsom, Peskin, Sandoval, Daly

Ordinance: (1) amending the San Francisco Administrative Code to add a new Chapter 90 establishing the San Francisco Entertainment Commission; (2) providing for assistance from the Police Department to the Entertainment Commission for the transfer of specified permitting and licensing functions from the Police Department to the Entertainment Commission; (3) amending Article 1 of the San Francisco Police Code (i) relative to renewals of permits and licenses generally, and (ii) to transfer permitting responsibility for the use of loudspeakers or sound amplifying equipment outside buildings or out of doors from the Police Department to the Entertainment Commission; (4) amending Article 15 of the San Francisco Police Code to transfer licensing responsibility for amusements from the Police Department to the Entertainment Commission; (5) amending Article 15.1 of the San Francisco Police Code to transfer permitting responsibility for Places of Entertainment from the Police Department to the Entertainment Commission; and (6) amending Article 15.2 of the San Francisco Police Code to transfer permitting responsibility for Extended Hours Premises from the Police Department to the Entertainment Commission.

(Fiscal impact.)
(Supervisor Hall dissenting in Committee.)

Ordinance No. 164-02
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Hall, Maxwell, Yee

NEW BUSINESS

Recommendations of the Budget Committee

020956 **[Annual Budget, Fiscal Year 2002-03]**
Mayor

Motion approving Annual Budget for City and County of San Francisco for Fiscal Year 2002-2003. (Mayor)

(Companion measure to Files 020957, 020958, 020959, 020960, 09061.)

Supervisor Maxwell presented the Budget message for Fiscal Year 2002-2003 on behalf of the Committee. Continued to July 22, 2002.
Supervisor Maxwell, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020957 **[Government Funding for Fiscal Year 2002-03]**
Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fiscal impact; Companion measure to Files 020956, 020958.)

Continued to July 22, 2002.
Supervisor Maxwell, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020958 [Public Employment, Fiscal Year 2002-03]

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact; Companion measure to Files 020956, 020957.)

Continued to July 22, 2002.

Supervisor Maxwell, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020944 [Redevelopment Agency Budget and Bonds, Fiscal Year 2002-2003]

Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2002-2003, as amended; and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed $41,500,000 for the purpose of financing Redevelopment activities in fiscal year 2002-2003.

Resolution No. 491-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Finance Committee

021070 [MOU, Amendment No. 1, Teamsters Local 853]

Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Memorandum of Understanding between the Teamsters, Local No. 853 and the City and County of San Francisco by adding a new section to Article III.F. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Mayor)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021127 [Setting Fees for City Day Camps]

Ordinance amending the San Francisco Park Code by adding Section 12.15, setting fees for participating in day camps run by the Recreation and Park Department. (Mayor)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021169 [Affordable Housing Bonds Special Election]
Mayor, Supervisors Ammiano, Daly, McGoldrick, Leno

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 5, 2002, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Two Hundred Fifty Million Dollars ($250,000,000) to finance the acquisition, construction and/or rehabilitation of housing affordable to low- and moderate-income households and downpayment assistance to low- and moderate-income first-time homebuyers; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code. (Mayor)

(Fiscal impact.)

7/15/02 Amendment of the whole bearing a new title by Supervisor Hall.

Supervisor Hall, seconded by President Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano moved an amendment to page 1, lines 9 and 10, to add "and authorizing landlords to pass through fifty percent (50%) of the resulting property tax increase to residential tenants"; page 4 line 6 to add "and authorize landlords to pass through to residential tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the Residential Rent Stabilization and Arbitration Ordinance) 50% of the increase in the real property taxes attributable to the cost of repayment of bonds, allocated on a per unit basis".

President Ammiano, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 5, 2002, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Two Hundred Fifty Million Dollars ($250,000,000) to finance the acquisition, construction and/or rehabilitation of housing affordable to low- and moderate-income households and financial assistance to low- and moderate-income first-time homebuyers and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and imposing certain limitations on the use of bonds proceeds. (Mayor)

(Fiscal impact.)

Continued to July 22, 2002 with the Board of Supervisors sitting as a Committee of the Whole.

Supervisor Hall, seconded by Supervisor Newsom, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020987 **[Agreement to Quitclaim Twenty-Three (23) Noise Easements]**

Resolution authorizing the rescission by the City and County of San Francisco of twenty-three (23) Grants of Easement previously acquired by City, for one property in the City of Pacifica and twenty-two (22) in the City of San Bruno. (Real Estate Department)

Resolution No. 492-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020726 **[Increasing Fee Charged to Participants in First Offender Prostitution Program]**

Mayor

Resolution approving increase in authorized fee for the First Offender Prostitution Program to $1,000. (Mayor)

Resolution No. 482-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 1 - Sandoval

021130 **[Approval of Lease with the U.S. Customs Service in West Field Cargo Building 1]**
Resolution approving and authorizing the execution of a Lease with the U.S. Customs Service for space in West Field Cargo Building 1. (Airport Commission)

Resolution No. 494-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Finance Committee Without Recommendation

021170 **[Veterans Building Special Election]**
Supervisor Sandoval

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Twenty-Two Million Seven Hundred Fifty-Five Thousand Dollars ($122,755,000) for the acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction by the City and County of the San Francisco War Memorial Veterans Building, and all other works, property and structures necessary or convenient for the foregoing purposes; providing for the use of available annual revenues on deposit in the War Memorial Special Fund to reduce the property tax impact; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Ammiano, McGoldrick

021171 **[War Memorial Special Fund]**
Supervisor Sandoval

Ordinance amending Article XIII of Chapter X of the San Francisco Administrative Code regarding the War Memorial Special Fund (the "Fund") by amending Section 10.100-361 to correct outdated Administrative Code section references and clarify the uses of moneys in the Fund.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 1 - McGoldrick

021172 [Pedestrian Safety and Livable Streets Special Election]
Supervisor Ammiano

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Fifty Million Dollars ($150,000,000) to finance street resurfacing, curb ramp construction, sidewalk improvement and street structure improvement projects, street signal and fire alarm call box improvement projects, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

NOT PASSED ON FIRST READING by the following vote:
Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin
Noes: 4 - Hall, Newsom, Sandoval, Yee

Recommendation of Rules and Audits Committee

020884 [Charter Amendment - Board of Supervisors]
Supervisors Gonzalez, Leno

Charter amendment (Third Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

Continued to July 22, 2002.

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Rules and Audits Committee "Without Recommendation"

020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]
Supervisors Ammiano, Gonzalez

Charter amendment (First Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

Continued to July 22, 2002.

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020885 [Charter Amendment - Parental Leave Compensation]
Supervisors Daly, Gonzalez, Sandoval, Maxwell

Charter amendment (Second Draft) to amend the charter regarding compensation during parental leave.

(Fiscal impact.)

Continued to July 22, 2002.

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Rules and Audits Committee with recommendation "Do Not Submit"

020882 [Charter Amendment - Public Advocate]
Supervisor McGoldrick

Charter amendment (Second Draft) to amend Section 6.100, 13.101, 13.101.5 and 13.102 and by adding Section 6.108 to create the Public Advocate.

Continued to July 22, 2002.

Supervisor Gonzalez, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Referred from Rules and Audits Committee

021150 **[Appointments, Planning Commission]**
Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Lisa Feldstein, Kevin Hughes, and Marilyn Sue Lee to the Planning Commission, terms to be determined by lot.

Lisa Feldstein, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Kevin Hughes, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Marilyn Sue Lee, Seat 3, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
(Nomination of Marilyn Sue Lee, seat 3, To Board Without Recommendation; Supervisor Hall dissenting.)

Motion No. M02-106
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021151 **[Appointments, Planning Commission]**
Supervisor Ammiano

Motion rejecting the Board of Supervisors President's appointment of Marilyn Sue Lee to the Planning Commission.

(Appointment of Marilyn Sue Lee, seat 3, To Board Without Recommendation; Supervisor Gonzalez dissenting.)

Supervisor Sandoval, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021156 **[Appointments, Planning Commission]**
Mayor

Motion approving the Mayor's nomination of Jon Ballesteros and Hector Chinchilla to the Planning Commission, terms to be determined by lot. (Mayor)

Jon Ballesteros, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
Hector Chinchilla, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.
(Nomination of Hector Chinchilla, seat 5, To Board Without Recommendation; Supervisor Hall dissenting.)

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021157 **[Appointments, Planning Commission]**
Mayor

Motion rejecting the Mayor's appointments of Hector Chinchilla, Dr. William Fay, and Frances Lee to the Planning Commission. (Mayor)

(Appointment of Hector Chinchilla, seat 5, To Board Without Recommendation; Supervisor Gonzalez dissenting.
Appointment of Dr. William Fay, seat 6, rejected; Supervisor Sandoval dissenting.
Appointment of Frances Lee, seat 7, rejected; Supervisor Sandoval dissenting.)

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

021214 **[Hearing - Automatic sprinklers in residential hotels]**
Hearing on the proposed ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to January 31, 2003; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002. (Clerk of the Board)

(Commpanion measure to File 021218.)

Speakers: Ernestine Weiss, Antoinette Stableman, Joanna Hagerty, Mr. Bush, Randy Shaw, Tenderloin Housing, Rebecca Dorman, Sam Dodge, Ms. Cristina, David Rogers, P. Patel, K. Patel, David Maguire, Sam Saheed, Roger Patel, Mr. Jacque, Amy Fishman, Frederick Hobson
The President then declared the hearing closed.
HEARD AT PUBLIC HEARING.

Committee of the Whole Rise and Report Without Recommendation

021218 **[Requirements for automatic sprinklers in residential hotels]**
Supervisor Newsom

Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to January 31, 2003; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002.

7/15/02 Amendment of the whole bearing a new title.
Supervisor Newsom, seconded by Supervisor Daly, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to December 31, 2002; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

021166 **[Hearing - Ground Lease of Redevelopment Agency Land for Dudley Apartments]**
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3726, Lot 10, commonly known as 172 Sixth Street, to Mercy Housing California XXII, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low income households. (Clerk of the Board)

Speakers: Marcia Rosen, Redevelopment Agency, Harvey Rose, Budget Analyst
The President then declared the hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

021167 **[Ground Lease of Redevelopment Agency Land for Dudley Apartments]**
Mayor

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3726, Lot 10, commonly known as 172 Sixth Street, to Mercy Housing California XXII, L.P., a California Limited Partnership, for 55 years for the purpose of developing housing for very low income households. (Mayor)

Resolution No. 486-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

COMMITTEE REPORTS

From Transportation and Commerce Committee

020916 [Amending and Extending Interim Controls Regulating Certain Uses in the Mission District]
Supervisor Ammiano

Resolution amending interim controls to require conditional use and expanded public notice for certain uses in the Mission District in the Area Bounded by Guerrero Street, Cesar Chavez Street, Potrero Avenue and the Central Freeway, in the Valencia Street Neighborhood Commercial District, in the 24th Street - Mission Neighborhood Commercial District, on Mission Street From 15th Street to Cesar Chavez Street Zoned NC-3, and in the NEMIZ; extending the interim controls to July 7, 2003 or until permanent controls are adopted.

(Certificate of Exemption/Exclusion from Environmental Review dated 6/25/02)
Supervisor Hall dissenting.

Supervisor Ammiano, seconded by Supervisor Leno, moved to amend page 3 line 6 to delete "6" and add "over seven"; page 4 line 6 to delete "nineteen" and add "thirty-five"; page 8, line 13 to add "it" at beginning of line.

President Ammiano, seconded by Supervisor Leno, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Resolution No. 500-02

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 2 - Hall, Newsom

Recommendation of Rules and Audits Committee

011656 [Charter Amendment - Public Utilities Commissioners]
Supervisors Hall, Gonzalez

Charter amendment (Third Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

Continued to July 22, 2002.

Supervisor Hall, seconded by Supervisor Leno, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Referred Without Recommendations From Rules and Audit Committee

020805 [Charter Amendment - Entertainment Commission]
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Charter amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

Continued to July 22, 2002.

Supervisor Leno, seconded by Supervisor Hall, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

012056 [Charter Amendment - Energy Self Sufficiency]
Supervisors Ammiano, Maxwell

Charter amendment (Fifth Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

Supervisor Gonzalez moved to amend 8B.100 - Governance to provide for elected Commissioners.

Supervisor Gonzalez, seconded by Supervisor Hall, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Newsom, Sandoval, Yee
Noes: 5 - Ammiano, Leno, Maxwell, McGoldrick, Peskin

Supervisor Gonzalez moved to amend 8B.103 - Siting of Energy Facilities.
Supervisor Peskin moved substitute amendment which incorporated above amendment with language regarding consistent with standards in Ordinance No. 124-01.

Supervisor Gonzalez, seconded by Supervisor Yee, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Daly moved to amend section 8B.102 subsection (a).

Supervisor Daly, seconded by Supervisor Peskin, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Noes: 3 - Ammiano, McGoldrick, Newsom

Supervisor Gonzalez, seconded by Supervisor Leno, moved to amend 8B.100 subsection (e) by deleting after 4.102 "(3)".

Supervisor Gonzalez, seconded by Supervisor Leno, moved toAMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Charter amendment (Sixth Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

Continued to July 22, 2002 with the Board of Supervisors sitting as a Committee of the Whole.

Supervisor Gonzalez, seconded by Supervisor Yee, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021253 **[Charter Amendment - Energy Self Sufficiency]**
Supervisor Gonzalez

Charter amendment (First Draft) to amend Sections 4.112 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

Supervisor Gonzalez moved to amend 8B.100 relating to governance structure.

Supervisor McGoldrick moved to amend to change to a simple majority vote for Board of Supervisors approval of appointment.

Supervisor McGoldrick, seconded by Supervisor Gonzalez, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Supervisor Gonzalez, seconded by Supervisor Maxwell, moved toAMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Supervisor McGoldrick moved to amend to change to a simple majority vote for Board of Supervisors approval of appointment.

Supervisor McGoldrick, seconded by Supervisor Gonzalez, moved toAMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Supervisor Gonzalez moved to amend 8B.102 - Powers of Commission Related to Energy (Grid Acqusition).

Supervisor Gonzalez, seconded by Supervisor Maxwell, moved toAMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Supervisor Gonzalez, seconded by Supervisor Yee, moved to amend 8B.100 Subsection (e) by deleting after 4.102 "(3)".

Supervisor Gonzalez, seconded by Supervisor Yee, moved toAMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Supervisor Gonzalez moved to amend 8B.103 - Siting of Energy Facilities.
Supervisor Peskin moved substitute amendment which incorporated above amendment with language regarding consistent with standards in Ordinance No. 124-01.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved toAMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Supervisor Gonzalez, seconded by Supervisor Maxwell, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Charter amendment (Second Draft) to amend Sections 4.112 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

Continued to July 22, 2002 with the Board of Supervisors sitting as a Committee of the Whole.

Supervisor Daly, seconded by Supervisor Gonzalez, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

From Rules and Audits Committee With Recommendation Do Not Submit

021254 **[Charter Amendment - Revenue Bond Authority for Energy Facilities]**
Supervisor Ammiano

Charter amendment (First Draft) to add a new Section 8B.110 empowering the Board of Supervisors to issue revenue bonds for the acquisition of energy facilities.

Supervisor McGoldrick, seconded by Supervisor Newsom, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

020887 **[Charter Amendment - Changes to Public Utilities related to water and sewer]**

Charter Amendment (Fourth Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.128, deleting Section 9.111-1 and amending Section 16.103 to establish exclusive control of water and clean water utilities; rate setting standards and methods; transfer of surplus funds between utilities; independence in contracting, purchasing and hiring; revenue bonds or other financing methods.

(Fiscal impact.)

On behalf of Supervisor Ammiano, Supervisor Maxwell moved an amendment of the whole.

Supervisor Maxwell, seconded by Supervisor Hall, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Supervisor McGoldrick moved to amend Section 8B.121 (e)

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Supervisor Yee moved to amend on page 12, to capitalize Building, Construction, and Trades Councils.

Supervisor Yee, seconded by Supervisor Maxwell, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Gonzalez, Hall
Absent: 1 - Leno

Charter Amendment (Fifth Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.127, deleting Section 9.111-1 and amending Section 16.103, to establish exclusive control of utilities; rate setting standards and methods; planning and reporting requirements; transfer of surplus funds between utilities; independence in contracting; revenue bonds or other financing methods.

(Fiscal impact.)

Continued to July 22, 2002 with the Board of Supervisors sitting as a Committee of the Whole.

Supervisor Maxwell, seconded by Supervisor Yee, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of Rules and Audits Committee

020888 **[Charter Amendment - Assistance to Elections Department]**
Supervisor Ammiano

Charter amendment (Fifth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguishable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney.

Continued to July 22, 2002.

Supervisor Newsom, seconded by Supervisor Sandoval, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Recommendation From Rules and Audits Committee Do Not Submit

020886 [Charter Amendment - Homeless Policy]
Supervisor Daly

Charter amendment (Fourth Draft) by adding Section 2.105-1 to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

Continued to July 22, 2002.

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

PUBLIC COMMENT

Abdalah Megahed, homelessness;
Espinola Jackson, Civil Service Commission , status of Tammy Haygood;
Female Speaker, children clinics
Female Speaker, homelessness issues
Edward Edmond, homelessness issues

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

021227 [Legislative Analyst Request]
Supervisor Gonzalez

Motion asking the Legislative Analyst to survey other comparable municipalities on regulatory requirements imposed on hospitals who reduce hospital services. These requirements could be public notification, fees, or other mitigation measures.

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

021198 [Legislative Analyst Request]
Supervisor Leno

Motion asking the Legislative Analyst to research the impact of new fees for street fairs that serve alcohol. The research should explore the impact on small and large street fairs operational ability and grant programs to non-profits if police costs are paid at 100% cost. Additionally, the office should research on what basis the decision is made for the amount of police needed for each event and how police services are provided in other cities.

Continued to July 22, 2002.

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff

021190 [Closed Session - Status of Potential AT&T Merger Litigation]

Motion that the Board of Supervisors convene in closed session for the purpose of discussing the status of the potential AT&T merger litigation.

Supervisor Daly, seconded by Supervisor Hall, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Recess

The Board recessed at the hour of 10:25 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 11:04 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee - 10.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee;
Ted Lakey, Deputy City Attorney;
Lisa Gelb, Deputy City Attorney;
Julia Friedlander, Deputy City Attorney;
Brian Roberts, Principal Policy Analyst, DTIS;
Lewis Loeven, Director, DTIS;
Denise Brady, Deputy Director, DTIS;
Edward Harrington, Controller;
Gloria L. Young, Clerk of the Board;
Kay Gulbengay, Deputy Clerk;
Victor Young, Assistant Clerk.

The meeting was informational only and no action was taken.

HEARD IN CLOSED SESSION by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Continued to July 29, 2002.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Litigation be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Peskin, seconded by Supervisor Daly, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

021193 [Extending the Planning Review Period for Secondary Units]
Supervisor Peskin

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for the secondary units.

Resolution No. 495-02
ADOPTED

021194 [Muwekma Ohlone Tribe]
Supervisors Newsom, Daly, Peskin

Resolution urging the United States Congress, the Department of the Interior and its Bureau of Indian Affairs to reaffirm and restore the Muwekma Ohlone Tribe of the San Francisco Bay Area as a Federally Acknowledged Indian Tribe.

Supervisors Daly and Peskin requested to be added as co-sponsors.

Resolution No. 489-02
ADOPTED

021196 [Commending Teddy Witherington and SF LGBT Pride Committee]
Supervisors Leno, Ammiano, Maxwell, Daly

Resolution commending Teddy Witherington and the San Francisco Lesbian, Gay, Bisexual and Transgender Pride Committee.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 496-02
ADOPTED

021222 **[Urging St. Luke's Hospital to Remain Open]**
Supervisors Ammiano, Daly

Resolution urging St. Luke's Hospital not to close its Emergency Room, Maternity Unit, or any other patient service due to the announced Registered Nurse strike.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 497-02
ADOPTED

021224 **[Authorizing the San Francisco Department of Aging and Adult Services to accept and expend Senior Facilities Special Funding]**
Supervisors Sandoval, Peskin

Resolution authorizing the San Francisco Department of Aging and Adult Services to accept and expend Senior Facilities Special Funding from the California State Department of Aging in the amount of $250,000 to establish a senior center.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 498-02
ADOPTED

021211 **[Final Map for a 5 Unit Residential Condominium Project]**
Motion approving Final Map of 120 Wetmore Street, a Residential Condominium Project, being a subdivision of Lot 34, Assessor's Block No. 212, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPT Order No. 173,625; District 3.)

Motion No. M02-107
APPROVED

021212 **[Final Map for a 6 Unit Residential Condominium Project]**
Motion approving Final Map of 1001 - 1003 - 1005 - 1007 - 1009 - 1011 Lombard Street, a Residential Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 71, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPT Order No. 173,624; District 2.)

Motion No. M02-108
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Severed from Adoption without Committee Reference

021123 **[Negotiations Regarding GCIU Local 4N and Independent/SF Examiner IU Local 4N and the Examiner/Independent]**
Supervisors Ammiano, Daly, Gonzalez

Resolution regarding negotiations between GCIU Local 4N and the SF Examiner/Independent.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.
Continued to July 22, 2002.

Supervisor Gonzalez, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Leno

021195 **[Commending San Francisco Chapter of the National Organization for Women]**
Supervisors Newsom, Daly, Peskin, Ammiano, Leno

Resolution commending the San Francisco Chapter of the National Organization for Women for its continued efforts to empower women and its continued vigilance to attempts by others to limit the reproductive choice of women.

Supervisor Hall requested this matter be severed so it could be considered separately.
Supervisors Peskin and Daly requested to be added as co-sponosrs.

REFERRED to the Health and Human Services Committee.

021223 **[Senate Bill 1301 - Reproductive Privacy Act]**
Supervisors Newsom, Peskin, Daly, Ammiano, Gonzalez

Resolution urging the State Legislature to adopt Senate Bill 1301, introduced by Senator Sheila Kuehl, relating to an act to amend Section 2253 of the Business and Professions Code, to add Article 2.5 to Chapter 2 of Part 2 of Division 106 of, and to repeal Sections 123400, 123405, 123407, 123410, 123415, and 123430 of the Health and Safety Code, relating to reproductive privacy.

Supervisor Hall requested this matter be severed so it could be considered separately.
Supervisor Peskin requested to be added as a co-sponsor.

REFERRED to the Health and Human Services Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor McGoldrick, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor McGoldrick, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Imperative Resolution

021258 **[Commending Habitat for Humanity]**
Supervisor Daly

Resolution commending the groundbreaking of Habitat for Humanity, San Francisco's eight new condominiums in the South of Market and Habitat for Humanity's continuing role in providing affordable housing and promoting volunteerism and cooperation in the community.

Supervisor Daly presented for immediate adoption.
Supervisor Daly moved to amend page 1, line 23, replace "South Van Ness" with "the Mission"; on page 2, line 3, replace"HHSF" with "Habitat for Humanity"

Resolution No. 499-02

Supervisor Daly, seconded by Supervisor Peskin, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021259 **[Sewer Service Charges, Fiscal Year 2002-2003]**
Mayor

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2002-2003 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code). (Mayor)

7/15/02, SCHEDULED FOR PUBLIC HEARING. Scheduled for public hearing August 12, 2002, at 3:00 p.m.

Resolutions

021260 **[Citizens Advisory Committee for Natural Areas Program]**
Supervisor Yee

Resolution establishing a Board of Supervisors Work Group for the Recreation and Parks Natural Areas Program.
7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021261 **[Support Preservation at Angel Island Immigration Station]**
Supervisor Peskin

Resolution supporting a Congressional budget allocation of $15 million to preserve and restore historical facilities at the Angel Island Immigration Station.
7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021262 **[Appointment of Michael G. Kasolas to MTA]**
Mayor

Resolution confirming the appointment of Michael G. Kasolas to the Board of Directors of the Metropolitan Transportation Agency, term ending March 1, 2003. (Mayor)
7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021263 **[Plaque honoring Chilean Americans]**
Supervisor Peskin

Resolution establishing the location of a plaque provided by the Government of Chile honoring the contributions of Chilean Americans in front of the historic Sentinel Building located at Columbus Avenue and Kearny Street.
7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021264 **[Urge Recreation and Parks Department to work with neighborhood groups]**
Supervisor Yee

Resolution urging the Recreation and Park Department to work more closely with neighborhood groups.
7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021265 **[Commend Bonnie Martin]**
Supervisors Sandoval, Newsom

Resolution commending Bonnie Martin for her work and dedication as the editor and publisher of the Gateway Gazette.
7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021266 **[Commend Local No. 8]**
Supervisors Sandoval, Daly

Resolution commending the International Union of Elevator Constructors Local No. 8, on the occasion of its 100 year anniversary, for a century of service to the elevator constructors of San Francisco.
7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021267 **[Commend Frances Farrell]**
Supervisor Sandoval

Resolution commending Frances Farrell, on the occasion of her retirement from the San Francisco Fire Commission, for decades of work for the City and County of San Francisco.
7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021268 **[Commend St. John's Educational Thresholds]**
Supervisor Daly

Resolution commending the St. John's Educational Thresholds Center for its 30th anniversary and decades of dedicated service to the youth of the Mission District; and commending the youth of the North Mission District for their successful work towards the creation of the first park in North Mission.
7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

021269 **[Civil Grand Jury Report on the Hunters Point Shipyard]**
Supervisor Maxwell

Hearing on the Civil Grand Jury Report on the Hunters Point Shipyard.
7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021270 **[Fiscal Year 2002-2003 Budget Process]**
Supervisor Maxwell

Hearing on the Budget Committee's Fiscal Year 2002-2003 Budget Process.
7/15/02, RECEIVED AND ASSIGNED to Budget Committee.

021271 **[Elections Commission Strategic Plans and Proposed Budget]**
Supervisors Leno, Ammiano

Hearing to discuss an update of the Elections Commission strategic plans for the November election, including the proposed budget.
7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021272 **[Charter Amendment Process]**
Supervisor Hall

Hearing on the potential revisions to the process of submitting Charter amendments to the voters of the City and County of San Francisco.

7/15/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021273 **[Rooftop sign in the Mission District]**
Supervisor Ammiano

Hearing on the rooftop sign, "17 Reasons" located in the Mission District. The hearing shall include the Planning Departments determination of the work performed to have, or have not conformed with the scope of the Permit. If not, what Foster Media, the company that owns the rights to the sign, intends on doing to conform with the City Planning Code.

7/15/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Motions

021257 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

7/15/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021274 **[Meeting Schedule]**
Supervisor Ammiano

Motion revising the regular meeting schedule of the Board of Supervisors by rescheduling the Board of Supervisors meeting on July 22, 2002, at 2:00 p.m. to 1:00 p.m.

7/15/02, RECEIVED AND ASSIGNED to Board of Supervisors.

7/15/02, APPROVED.

Motion No. M02-111

President Ammiano, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

Introduced by President on Behalf of Departments

PROPOSED ORDINANCES

021201 **[Building Code]**
Supervisor Sandoval

Ordinance repealing the San Francisco Building Code and adopting, in its entirety, a new San Francisco Building Code. (Building Inspection Department)

(Companion measure to File 021202.)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021203 **[Electrical Code]**
Supervisor Sandoval

Ordinance repealing the San Francisco Electrical Code and adopting, in its entirety, a new San Francisco Electrical Code. (Building Inspection Department)

(Companion measure to File 021204.)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021205 **[Housing Code]**
Supervisor Sandoval

Ordinance repealing the San Francisco Housing Code and adopting, in its entirety, a new San Francisco Housing Code. (Building Inspection Department)

(Companion measure to File 021206.)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021207 **[Mechanical Code]**
Supervisor Sandoval

Ordinance repealing the San Francisco Mechanical Code and adopting, in its entirety, a new San Francisco Mechanical Code. (Building Inspection Department)

(Companion measure to File 021208.)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021209 **[Plumbing Code]**
Supervisor Sandoval

Ordinance repealing the San Francisco Plumbing Code and adopting, in its entirety, a new San Francisco Plumbing Code. (Building Inspection Department)

(Companion measure to File 021210.)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

PROPOSED RESOLUTIONS

021184 **[Airport Concession Lease]**
Resolution approving the North Terminal Candy Store Lease between See's Candies, Inc. and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)
7/2/02, RECEIVED AND ASSIGNED to Finance Committee.

021186 **[Contracting out Laundry Services at Laguna Honda Hospital]**
Resolution concurring retroactively, with the Controller's certification that the laundry services can be performed for the Department of Public Health, Laguna Honda Hospital by private contractor for a lower cost than similar work performed by City and County employees. (Public Health Department)

(Fiscal impact.)
7/8/02, RECEIVED AND ASSIGNED to Finance Committee.

021187 **[Fire Code]**
Supervisor Gonzalez

Resolution endorsing amendments and providing findings as to the local conditions supporting those amendments to the 2001 State Fire Code, as required by California Health and Safety Code. (Fire Department)

(Companion measure to File 021135.)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021188 **[Contracting out Shuttle Bus Service]**
Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport's Long-Term Parking Lot, the employee garage and surface Lot DD can practically be performed by private contractor at a lower cost than if work were performed by City and County employees. (Airport Commission)
7/10/02, RECEIVED AND ASSIGNED to Finance Committee.

021192 **[Study of at-risk and HIV positive youth in San Francisco]**
Supervisors Leno, Maxwell, Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $20,160 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2002, to February 28, 2003. (Public Health Department)
7/10/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021199 **[Contracting out Paratransit Services]**
Resolution concurring with the controller's certification that paratransit services for the Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by city and county employees. (Municipal Transportation Agency)
7/10/02, RECEIVED AND ASSIGNED to Finance Committee.

021202 **[Building Code]**
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Building Code, as required by California Health and Safety Code. (Building Inspection Department)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021204 [Electrical Code]
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Electrical Code, as required by California Health and Safety Code. (Building Inspection Department)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021206 [Housing Code]
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Housing Code, as required by California Health and Safety Code. (Building Inspection Department)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021208 [Mechanical Code]
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Mechanical Code, as required by California Health and Safety Code. (Building Inspection Department)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021210 [Plumbing Code]
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Plumbing Code for buildings, as required by California Health and Safety Code. (Building Inspection Department)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021213 [Telecommunication conduit across Minna Street for SFMOMA]
Resolution granting revocable permission to San Francisco Museum of Modern Art (SFMOMA) to occupy a portion of the public right-of-way to excavate, install and maintain one (1) 4-inch Schedule 40 conduit across Minna Street, between 3rd and New Montgomery Streets to interconnect the SFMOMA at 151 3rd Street (Block 3722, Lot 078) with auxiliary office space at 667 Mission Street/170 Minna Street (Block 3722, Lot 067) for providing voice and data connection between the two buildings and making findings of consistency with the priority policies of Planning Code Section 101.1. (Public Works Department)
7/10/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

Requests Granted

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To conduct a traffic study at the intersection of San Bruno Avenue, Bayshore Blvd. and Arleta Street. Specifically, Supervisor Maxwell would like the Department of Parking and Traffic to investigate the feasibility of installing a more comprehensive system for directing traffic. Currently, traffic is regulated by a simple flashing red light. This intersection has one of the heaviest flows of traffic for both pedestrians and automobiles in District 10. The current system is absolute and a new system needs to be considered.
Due: August 17, 2002

From: Supervisors Leno, Ammiano
To: City Attorney
Requesting/Inquiring: To draft legislation requiring that the Recreation and Parks Department provide public notification before girdling of trees.

From: Supervisor Leno
To: General Manager, Recreation and Parks Department
Requesting/Inquiring: To outline their Public Participation Process for Capital Plans, which is cited in the recently introduced resolution to accept and expend a state grant for improvements and restoration of natural areas in Glen Park. The Board of Supervisors would like to know how the public is to participate in this process, whether the process is educational or collaborative, and what the basic outline is for the Departments participation policy.

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft an ordinance establishing Investment Protection Rules for investment of all City funds, including those in City employee retirement funds. These Investment Protection Rules would establish conflict of interest and disclosure rules for investment firms doing business with the City.

In Memoriams

In Memoriams
Doris Thomas (Supervisors Yee, Maxwell)
Albert Prince (Supervisor Maxwell)

ADJOURNMENT

There being no further business, the Board at the hour of 11:07 pm adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 17, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
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Monday, July 22, 2002 1:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Rescheduled Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Ammiano	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 29

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in rescheduled session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 1:01 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Gonzalez, McGoldrick - 2.

Quorum present.

Supervisor McGoldrick was noted present at 1:03 p.m.

Supervisor Gonzalez was noted present at 1:30 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor Newsom, moved to approve the May 13, 2002 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

Supervisor Sandoval requested that File Nos. 020956, 020958, 020957, 021076, 011656, 020884, 020888, 020805, 020938, 020885, 020882, 020886, 021170, 021169, 012056, 021253, 020887, and 021185 be postponed until Supervisor Gonzalez arrived at the Board meeting.

COMMUNICATIONS

Letter from Willie L. Brown Jr., Mayor, dated July 22, 2002 withdrawing the Mayor's nominations to the Board of Appeals.

Letter from Willie L. Brown Jr., Mayor, dated July 22, 2002 apprising the Board of Supervisors of the current status of negotiations with SEIU.

Letter from Deborah Brown, Voter Services Manager, Department of Elections, dated July 19, 2002 certifying that the petition for Care Not Cash did contain sufficient valid signatures to qualify for November 5, 2002 Consolidated General Election.

Letter from Deborah Brown, Voter Services Manager, Department of Elections, dated July 19, 2002 certifying that the petition for Homeownership Opportunities for Everyone (HOPE) did contain sufficient valid signatures to qualify for November 5, 2002 Consolidated General Election.

CONSENT AGENDA

Recommendations of the Finance Committee

021070 [MOU, Amendment No. 1, Teamsters Local 853]
Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Memorandum of Understanding between the Teamsters, Local No. 853 and the City and County of San Francisco by adding a new section to Article III.F. Additional Compensation which provides for the pass-through of State of California funds to certain represented classes working at Skilled Nursing Facilities. (Mayor)

Ordinance No. 167-02
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

021127 [Setting Fees for City Day Camps]

Ordinance amending the San Francisco Park Code by adding Section 12.15, setting fees for participating in day camps run by the Recreation and Park Department. (Mayor)

Ordinance No. 168-02
FINALLY PASSED

021136 **[Contracting out Convention Facilities management, operation and maintenance services]**

Resolution concurring, retroactively, with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees. (Administrative Services Department)

Resolution No. 505-02
ADOPTED

021049 **[Lease of Property - Camelot Hotel]**
Supervisors Ammiano, Daly

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and 124 Turk Street, LP, as Landlord, for the Camelot Hotel located at 124 Turk Street, San Francisco, CA 94102.

(Fiscal impact; District 6.)

Resolution No. 502-02
ADOPTED.

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

021239 **[Adopting findings related to the conditional use appeal on property located at 3130-3154 Noriega Street]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.0995CE (which approved the development of a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 3,400 square feet of commercial/retail space and nine dwelling units on a lot with a total area exceeding 5,000 square feet) for property in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District located at 3130-3154 Noriega Street on the north side of Noriega Street at 39th Avenue (Lot 7 in Assessor's Block 2011). (Clerk of the Board)

(Companion measure to Files 202900, 020901, 020902, 020903.)

Motion No. M02-117
APPROVED by the following vote:

Ayes: 8 - Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Ammiano, McGoldrick
Absent: 1 - Gonzalez

Recommendations of the Budget Committee

020956 [Annual Budget, Fiscal Year 2002-03]
Mayor

Motion approving Annual Budget for City and County of San Francisco for Fiscal Year 2002-2003. (Mayor)

(Companion measure to Files 020957, 020958, 020959, 020960, 09061.)

Supervisor Ammiano, seconded by Supervisor Daly, moved technical amendments. (See File For Details)

President Ammiano, seconded by Supervisor Daly, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

Supervisor Peskin, seconded by Supervisor Maxwell, moved to amend by adding a .50 FTE Limited Duration Senior Environmental Specialist position to the Department of the Environment.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval
Noes: 3 - Hall, McGoldrick, Yee

Supervisor Peskin, seconded by Supervisor Maxwell, moved by adding a position. 75 FTE, Water & Power Resources Manager to the Public Utilities Commission.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Daly, seconded by Supervisor Gonzalez, moved to amend by placing $1,070,000 for IHSS on the Finance Committee Reserve.

Supervisor Daly, seconded by Supervisor Gonzalez, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Sandoval, seconded by Gonzalez, moved to amend by placing $700,000 for the City-Wide Programs for Youths on the Finance Committee Reserve.

Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Leno, Newsom, Peskin, Sandoval
Noes: 5 - Ammiano, Hall, Maxwell, McGoldrick, Yee

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to amend by replacing "3 Planner III positions at .75 FTE " with "3 Planner II positions at .75 FTE"; and by adding one Graphic Artist at 0.6 FTE to the Department of City Planning.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano, seconded by Supervisor Daly, moved to amend by adding "program improvements" after the "In Home Supportive Services wage and benefits increases".

President Ammiano, seconded by Supervisor Daly, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

020958 **[Public Employment, Fiscal Year 2002-03]**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact; Companion measure to Files 020956, 020957.)

Supervisor Ammiano, seconded by Supervisor Daly, moved technical amendments.

President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

Supervisor Peskin, seconded by Supervisor Maxwell, moved to amend by adding a .50 FTE Limited Duration Senior Environmental Specialist position to the Department of the Environment.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Noes: 3 - McGoldrick, Newsom, Yee

Supervisor Peskin, seconded by Supervisor Maxwell, moved by adding a position. 75 FTE, Water & Power Resources Manager to the Public Utilities Commission.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Daly, seconded by Supervisor Gonzalez, moved to amend by placing $1,070,000 for IHSS on the Finance Committee Reserve.

Supervisor Daly, seconded by Supervisor Gonzalez, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Sandoval, seconded by Gonzalez, moved to amend by placing $700,000 for the City-Wide Programs for Youths on the Finance Committee Reserve.

Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Leno, Newsom, Peskin, Sandoval
Noes: 5 - Ammiano, Hall, Maxwell, McGoldrick, Yee

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to amend by replacing "3 Planner III positions at .75 FTE " with "3 Planner II positions at .75 FTE"; and by adding one Graphic Artist at 0.6 FTE to the Department of City Planning.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano, seconded by Supervisor Daly, moved to amend by adding "program improvements" after the "In Home Supportive Services wage and benefits increases".

President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

020957 **[Government Funding for Fiscal Year 2002-03]**

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fiscal impact; Companion measure to Files 020956, 020958.)

Supervisor Ammiano, seconded by Supervisor Daly, moved technical amendments.

President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

Supervisor Peskin, seconded by Supervisor Maxwell, moved to amend by adding a .50 FTE Limited Duration Senior Environmental Specialist position to the Department of the Environment.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval
Noes: 3 - Hall, McGoldrick, Yee

Supervisor Peskin, seconded by Supervisor Maxwell, moved by adding a position. 75 FTE, Water & Power Resources Manager to the Public Utilities Commission.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Daly, seconded by Supervisor Gonzalez, moved to amend by placing $1,070,000 for IHSS on the Finance Committee Reserve.

Supervisor Daly, seconded by Supervisor Gonzalez, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Sandoval, seconded by Gonzalez, moved to amend by placing $700,000 for the City-Wide Programs for Youths on the Finance Committee Reserve.

Supervisor Sandoval, seconded by Supervisor Gonzalez, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Leno, Newsom, Peskin, Sandoval
Noes: 5 - Ammiano, Hall, Maxwell, McGoldrick, Yee

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to amend by replacing "3 Planner III positions at .75 FTE " with "3 Planner II positions at .75 FTE"; and by adding one Graphic Artist at 0.6 FTE to the Department of City Planning.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano, seconded by Supervisor Daly, moved to amend by adding "program improvements" after the "In Home Supportive Services wage and benefits increases".

President Ammiano, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

021076 **[Street fairs fees]**
Mayor

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, rather than 40 percent of the cost, to eliminate the $2,500 cap on charges for police services for street fairs where alcoholic beverages are served, to eliminate ISCOTT's authority to waive payment of the cost of police services for street fairs where alcoholic beverages are served, and to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index. (Mayor)

Supervisor Ammiano, on behalf of the Mayor, introduced an amendment of the whole.

Supervisor Leno, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, subject to a graduated series of caps based on attendance, to eliminate ISCOTT's authority to waive payment of the cost of police services for those street fairs, and to provide for annual adjustments of these fees and caps to reflect changes in the Consumer Price Index. (Mayor)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

Recommendations of Rules and Audits Committee

011656 **[Charter Amendment - Public Utilities Commissioners]**
Supervisors Hall, Gonzalez

Charter amendment (Third Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment, providing for appointment of new commissioners.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 3 - Gonzalez, Hall, Yee
Noes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

020884 **[Charter Amendment - Board of Supervisors]**
Supervisors Gonzalez, Leno

Charter amendment (Third Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI).

Supervisor Leno requested to be added as a co-sponsor.
ORDERED SUBMITTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Newsom, Yee

020888 **[Charter Amendment - Assistance to Elections Department]**
Supervisor Ammiano

Charter amendment (Fifth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguishable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney.

ORDERED SUBMITTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Referred from Rules and Audits Committee "Without Recommendation"

020805 **[Charter Amendment - Entertainment Commission]**
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Charter amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission.

ORDERED SUBMITTED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Hall, Maxwell, Yee

020938 [Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]
Supervisors Ammiano, Gonzalez

Charter amendment (First Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

President Ammiano, seconded by Supervisor Gonzalez, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Charter amendment (Second Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

(Fiscal impact.)

President Ammiano moved that this Charter Amendment be RE-REFERRED to the Rules and Audits Committee. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020885 [Charter Amendment - Parental Leave Compensation]
Supervisors Daly, Gonzalez, Sandoval, Maxwell

Charter amendment (Second Draft) to amend the charter regarding compensation during parental leave.

(Fiscal impact.)

ORDERED SUBMITTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

From Rules and Audits Committee With Recommendation "Do Not Submit"

020882 [Charter Amendment - Public Advocate]
Supervisor McGoldrick

Charter amendment (Second Draft) to amend Section 6.100, 13.101, 13.101.5 and 13.102 and by adding Section 6.108 to create the Public Advocate.

Supervisor McGoldrick moved that this Charter Amendment be RE-REFERRED to the Rules and Audits Committee. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020886 [Charter Amendment - Homeless Policy]
Supervisor Daly

Charter amendment (Fourth Draft) by adding Section 2.105-1 to require a vote of not less than two-thirds (2/3) of the members of the Board of Supervisors to change any enactment regarding homeless policy or services within the same fiscal year in which such enactment was adopted; to add Section 4.134 to establish a Local Homeless Coordinating Board to advise the Mayor and the Board of Supervisors on the development, implementation and evaluation of homeless policy; and to amend Section 10.104 to authorize not more than five (5) staff members for the Local Homeless Coordinating Board who shall be exempt from civil service rules.

Supervisor Daly moved that this Charter Amendment be RE-REFERRED to the Rules and Audits Committee. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Finance Committee "Without Recommendation"

Appointment of President Pro Tempore

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

021170 [Veterans Building Special Election]
Supervisor Sandoval

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Twenty-Two Million Seven Hundred Fifty-Five Thousand Dollars ($122,755,000) for the acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction by the City and County of the San Francisco War Memorial Veterans Building, and all other works, property and structures necessary or convenient for the foregoing purposes; providing for the use of available annual revenues on deposit in the War Memorial Special Fund to reduce the property tax impact; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

Ordinance No. 163-02
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021171 [War Memorial Special Fund]
Supervisor Sandoval

Ordinance amending Article XIII of Chapter X of the San Francisco Administrative Code regarding the War Memorial Special Fund (the "Fund") by amending Section 10.100-361 to correct outdated Administrative Code section references and clarify the uses of moneys in the Fund.

(Fiscal impact.)

Ordinance No. 169-02
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 1 - McGoldrick
Absent: 1 - Gonzalez

Special Order 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Recommendation of Finance Committee

021169 [Affordable Housing Bonds Special Election]
Mayor, Supervisors Ammiano, Daly, McGoldrick, Leno, Sandoval, Maxwell, Newsom

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 5, 2002, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Two Hundred Fifty Million Dollars ($250,000,000) to finance the acquisition, construction and/or rehabilitation of housing affordable to low- and moderate-income households and financial assistance to low- and moderate-income first-time homebuyers and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and imposing certain limitations on the use of bonds proceeds. (Mayor)

(Fiscal impact.)

Supervisors Maxwell and Sandoval requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

Referred from Rules and Audits Committee "Without Recommendation"

012056 [Charter Amendment - Energy Self Sufficiency]
Supervisors Ammiano, Maxwell

Charter amendment (Sixth Draft) to amend Section 4.112 and to add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

(Fiscal impact.)

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021253 **[Charter Amendment - Energy Self Sufficiency]**
Supervisors Gonzalez, Daly

Charter amendment (Second Draft) to amend Sections 4.112 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services.

ORDERED SUBMITTED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

020887 **[Charter Amendment - Changes to Public Utilities related to water and sewer]**

Charter Amendment (Fifth Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.127, deleting Section 9.111-1 and amending Section 16.103, to establish exclusive control of utilities; rate setting standards and methods; planning and reporting requirements; transfer of surplus funds between utilities; independence in contracting; revenue bonds or other financing methods.

(Fiscal impact.)

ORDERED SUBMITTED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

From Committee of the Whole

021218 **[Requirements for automatic sprinklers in residential hotels]**
Supervisors Newsom, Daly

Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to December 31, 2002; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002.

Ordinance No. 170-02
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

NEW BUSINESS

Recommendation of the Finance Committee

021185 [Emergency Response Fee Amendments]
Supervisors Daly, Ammiano, Gonzalez, McGoldrick, Sandoval, Leno

Ordinance amending Section 755 of the San Francisco Business and Tax Regulations Code by increasing the Emergency Response Fee rates for standard telephone access lines from $1.00 to $1.25 per month, for trunk lines from $7.50 to $9.38 per month, and for high capacity trunk lines from $135 to $168.75 per month.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

Recommendations of the Public Works and Public Protection Committee

021187 [Fire Code]
Supervisor Gonzalez

Resolution endorsing amendments and providing findings as to the local conditions supporting those amendments to the 2001 State Fire Code, as required by California Health and Safety Code. (Fire Department)

(Companion measure to File 021135.)

Resolution No. 507-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

021135 [Fire Code]
Ordinance repealing the San Francisco Fire Code and adopting, in its entirety, a new San Francisco Fire Code. (Fire Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

021072 [Accept-Expend California Integrated Waste Management Board Local Government Household Hazardous Waste Grant, Fiscal Year 2002/2003]
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $69,507.24 from the California Integrated Waste Management Board for educating San Francisco residents and Conditionally Exempt Small Quantity Generators (CESQGs) about the proper disposal of universal waste lamps and to expand opportunities for residential disposal of universal waste lamps. (Environment)

Resolution No. 504-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

Recommendations of the Rules and Audits Committee

021182 **[Rescheduling the September 16, 2002 meeting of the Board of Supervisors to September 17, 2002]**
Supervisor Ammiano

Resolution rescheduling the September 16, 2002 meeting of the Board of Supervisors to September 17, 2002 at 2:00 p.m.

Resolution No. 506-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

020990 **[Board Off-site Meetings]**
Supervisor Ammiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on August 21, September 18, and November 20, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M02-113
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

From Rules and Audits Committee "Do Not Submit"

020874 **[Congestion Pricing for Tolls on San Francisco-Oakland Bay Bridge]**
Supervisor Sandoval

Motion ordering submitted to the voters a policy declaration known as Congestion Pricing for Tolls on San Francisco-Oakland Bay Bridge at an election to be held on November 5, 2002.

(Supervisor Sandoval dissented in committee.)

NOT APPROVED by the following vote:
Ayes: 1 - Sandoval
Noes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

Referred from Rules and Audits Committee

021152 [Appointments, Board of Appeals]
Supervisor Ammiano

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker and Hisashi Sugaya to the Board of Appeals, terms to be determined by lot.

Doug Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
(Appointment of Doug Shoemaker, seat 1, recommended. Supervisor Hall dissenting.)
(Appointment of Hisashi Sugaya, seat 2, recommended.)

Supervisor Hall requested that the appointment of Hisashi Sugaya be divided and considered separately. See File No. 021332.

Supervisor Hall, seconded by Supervisor McGoldrick, moved that this Motion be DIVIDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker to the Board of Appeals, term to be determined by lot.

Doug Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.
(Appointment of Doug Shoemaker, seat 1, recommended. Supervisor Hall dissenting in committee.)

Motion No. M02-114

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

021332 [Appointment, Board of Appeals]

Motion approving the Board of Supervisors President's nomination of Hisashi Sugaya to the Board of Appeals, term to be determined by lot.

Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

Divided from File No. 021152.

Motion No. M02-119

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021154 [Appointments, Board of Appeals]
Mayor

Motion approving the Mayor's nomination of Arnold Chin, and Sabrina Saunders to the Board of Appeals, terms to be determined by lot. (Mayor)

Arnold Chin, Seat 3, new position, must be nominated by the Mayor, term to be determined by lot.
Sabrina Saunders, Seat 5, new position, must be nominated by the Mayor, term to be determined by lot.
(Appointment of Arnold Chin, seat 3, recommended. Supervisor Gonzalez dissenting.)
(Appointment of Sabrina Sauders, seat 5, recommended.)

Supervisor Daly, seconded by Supervisor Leno, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021155 [Appointments, Board of Appeals]
Mayor

Motion rejecting the Mayor's appointment John McInerney to the Board of Appeals. (Mayor)

John McInerney, Seat 4, new position, must be nominated by the Mayor, term to be determined by lot.
(Supervisor Hall dissenting.)

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of the Transportation and Commerce Committee

020447 [Congestion Pricing Program]
Supervisors Sandoval, Gonzalez, Daly, McGoldrick, Peskin

Resolution urging the Legislature of the State of California or, in the alternative, the nine Bay area counties that compose the Metropolitan Transportation Commission to pass legislation establishing a congestion pricing program for the San Francisco-Oakland Bay Bridge.

(Supervisor Hall dissenting in Committee.)

Resolution No. 501-02
ADOPTED by the following vote:
Ayes: 7 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 3 - Ammiano, Hall, Yee
Absent: 1 - Peskin

SPECIAL ORDER 3:00 P.M.

021160 **[Public Hearing - Appeal, Conditional Use, 2001 - 37th Avenue (aka 2750 Rivera Street)]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16428 dated June 25, 2002, approving Conditional Use Application No. 2001.1203C, allowing the installation of six antennas mounted within fiberglass screens, and three equipment cabinets installed inside the existing rooftop penthouse on St. Ignatius College Preparatory as part of a wireless telecommunications network operated by Cingular Wireless in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), west side between Ortega and Quintara Streets; Lot 006, in Assessor's Block 2094.

(Appeal filed June 25, 2002; categorically exempt from environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code; Case No. 2001.1203C; companion measure to Files 021161, 021162, 021163; District 4.)

Supervisor Newsom requested that this item be continued to July 29, 2002.
Respondents: Kelly Peppar, Cingular Wireless,Mike Silvester, Don Carmani,
Female speaker on behalf of Leslie Bevoy, Scott Dagner,John Henning, Greg Neville, Sherry Stewart, Don Lewis, Amad Gerinte, G. Wong

Director of the Deparment of Planning Gerald Green
A rebuttal period was allowed.
Mavis Navin - Supporting Appellant
The President then declared the hearing closed.
HEARD AT PUBLIC HEARING by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

021161 **[Appeal, Conditional Use, 2001 - 37th Avenue (aka 2750 Rivera Street)]**
Motion approving decision of the Planning Commission by its Motion No. 16428, approving Conditional Use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M02-115

Supervisor Newsom, seconded by Supervisor Leno, moved that this Motion be APPROVED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

021162 **[Appeal, Conditional Use, 2001 - 37th Avenue (aka 2750 Rivera Street)]**
Motion disapproving decision of the Planning Commission by its Motion No. 16428, approving Conditional Use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Newsom, seconded by Supervisor Leno, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

021163 **[Findings - 2001 - 37th Avenue (aka 2750 Rivera Street)]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M02-116

Supervisor Newsom, seconded by Supervisor Leno, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

COMMITTEE REPORTS

From Health and Human Services Committee

021165 **[Amended Nondisposal Facility Element]**
Supervisor Daly

Resolution adopting an amended Nondisposal Facility Element of the City's Integrated Waste Management Plan as required by California Public Resources Code Section 41730. (Environment)

Resolution No. 488-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Finance Committee

020910 **[Revenue Bond Election]**
Supervisor Ammiano

Resolution calling and providing for a special election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 5, 2002 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the Public Utilities Commission in a principal amount not to exceed $1,628,000,000 to finance the acquisition and construction of improvements to the City's water system; making issuance of the bonds subject to the requirement that San Francisco Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) be amended to provide that (1) 50% of the costs resulting from increased water rates may be passed through from landlords to residential tenants where a unit is in compliance with any applicable laws requiring water conservation devices, and (2) tenants may file hardship applications with the Rent Board for relief from all or part of the cost passthrough and their affected landlords may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenants' hardship status; and for the possible imposition of a surcharge on retail water customers; complying with Article 83 of the San Francisco Administrative Code (First Source Hiring Program); and consolidating said special election with the General Municipal Election to be held on November 5, 2002; complying with Section 53410 of the California Government Code; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 487-02
ADOPTED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 3 - Hall, Sandoval, Yee

PUBLIC COMMENT

Abdah Lagay, homelessness;
B. Agenger, homelessness
Male Speaker, eviction
Chris Bowman, elections

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

021198 [Legislative Analyst Request]
Supervisor Leno

Motion asking the Legislative Analyst to research the impact of new fees for street fairs that serve alcohol. The research should explore the impact on small and large street fairs operational ability and grant programs to non-profits if police costs are paid at 100% cost. Additionally, the office should research on what basis the decision is made for the amount of police needed for each event and how police services are provided in other cities.

Supervisor Leno requested that the item be tabled.

Supervisor Leno, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

021261 [Support Preservation at Angel Island Immigration Station]
Supervisor Peskin

Resolution supporting a Congressional budget allocation of $15 million to preserve and restore historical facilities at the Angel Island Immigration Station.

Resolution No. 508-02
ADOPTED

021263 [Plaque honoring Chilean Americans]
Supervisor Peskin

Resolution establishing the location of a plaque provided by the Government of Chile honoring the contributions of Chilean Americans in front of the historic Sentinel Building located at Columbus Avenue and Kearny Street.

Resolution No. 509-02
ADOPTED

021265 [Commend Bonnie Martin]
Supervisors Sandoval, Newsom

Resolution commending Bonnie Martin for her work and dedication as the editor and publisher of the Gateway Gazette.

Resolution No. 510-02
ADOPTED

021266 **[Commend Local No. 8]**
Supervisors Sandoval, Daly

Resolution commending the International Union of Elevator Constructors Local No. 8, on the occasion of its 100 year anniversary, for a century of service to the elevator constructors of San Francisco.

Resolution No. 511-02
ADOPTED

021267 **[Commend Frances Farrell]**
Supervisor Sandoval

Resolution commending Frances Farrell, on the occasion of her retirement from the San Francisco Fire Commission, for decades of work for the City and County of San Francisco.

Resolution No. 512-02
ADOPTED

021268 **[Commend St. John's Educational Thresholds]**
Supervisor Daly

Resolution commending the St. John's Educational Thresholds Center for its 30th anniversary and decades of dedicated service to the youth of the Mission District; and commending the youth of the North Mission District for their successful work towards the creation of the first park in North Mission.

Resolution No. 513-02
ADOPTED

021257 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M02-118
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Severed From Adoption Without Reference to Committee

021123 [Negotiations Regarding GCIU Local 4N and Independent/SF Examiner IU Local 4N and the Examiner/Independent]
Supervisors Ammiano, Daly, Gonzalez

Resolution regarding negotiations between GCIU Local 4N and the SF Examiner/Independent.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.
Supervisor Gonzalez requested this item be continued to July 29, 2002.

Supervisor Gonzalez, seconded by Supervisor Daly, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

021264 [Urge Recreation and Parks Department to work with neighborhood groups]
Supervisor Yee

Resolution urging the Recreation and Park Department to work more closely with neighborhood groups.

Supervisor Daly requested this matter be severed so it could be considered separately.
Supervisor Daly requested this item be referred to committee.

Supervisor Daly moved that this Resolution be REFERRED to the Neighborhood Services and Recreation Committee. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021067 [Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection]
Supervisors Peskin, Newsom

Ordinance amending Public Works Code Sections 724 through 724.9 concerning street space occupancy permits to modify the fee collection structure, provide for fee refunds, assess right-of-way occupancy costs, establish minimum notice requirements, and impose other related procedures; amending Traffic Code Section 33.1A to replace existing provisions concerning special parking restrictions with a requirement that the Department of Parking and Traffic and Department of Public Works coordinate jurisdictional activities over street space occupancy permits.

6/10/02, RECEIVED AND ASSIGNED to Budget Committee.

7/10/02, TRANSFERRED to Neighborhood Services and Recreation Committee.

7/22/02, SUBSTITUTED to Neighborhood Services and Recreation Committee. Supervisor Peskin submitted a substitute ordinance bearing new title.

7/23/02, TRANSFERRED to Finance Committee. Sponsor requests this item be calandered on August 7, 2002.

021296 **[Entertainment Commission]**
Supervisors Leno, Newsom

Ordinance amending the San Francisco Administrative Code to (i) enact a new Section 10.100-296 establishing the San Francisco Entertainment Commission Fund, and (ii) amend Section 90.9 of Chapter 90 relative to the fees for licenses and permits issued by the San Francisco Entertainment Commission.
7/22/02, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

021297 **[CEQA Findings]**
Supervisor Daly

Resolution adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of a zoning map amendment for the 601 King Street Project.
7/22/02, ASSIGNED to Health and Human Services Committee.

021298 **[Expedite process for open seats on Planning Commission and Board of Appeals]**
Supervisor Peskin

Resolution to expedite the process of appointing the remaining four seats of the Planning Commission and the three seats on the Board of Appeals.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021299 **[Urging the Presidio Trust Management to have independent verification]**
Supervisor Yee

Resolution urging the Presidio Trust Management to have an independent verification and examination of their financial model and all assumptions and data underlying that model by an independent Certified Public Accountant or a Certified Accounting Firm.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021300 **[Reaffirming the importance of CEDAW]**
Supervisors Yee, Daly, Peskin, Newsom

Resolution reaffirming the importance of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and urging Senators Boxer and Feinstein to make every effort to ensure Senate ratification of CEDAW.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021301 **[Opposing S2633 and HR3782]**
Supervisors Leno, Daly, Gonzalez

Resolution urging the U.S. Senate to oppose the RAVE Act, S2633 (Reducing America's Vulnerability to Ecstacy Act) and urging the House of Representatives to oppose HR3782 sponsored by Congressman Doug Ose (D-CA).
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021302 **[Extending the operations of the SRO Task Forces to August 31, 2003]**
Supervisors Ammiano, Daly, Peskin

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through August 31, 2003.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021303 **[Establishing a Work Group to End the Exploitation of Youth]**
Supervisors Ammiano, Daly, Peskin

Resolution approving the formation of a work group to assess the needs of sexually exploited and abused youth.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021304 **[Commending Ingleside Presbyterian Church and Reverend Roland Gordon]**
Supervisors Sandoval, Hall

Resolution commending Ingleside Presbyterian Church and Reverend Roland Gordon on the occasion of Ingleside Presbyterian Church's 95th anniversary and Reverend Roland Gordon's 24th pastoral anniversary.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021305 **[Commending Henry J. Leigh]**
Supervisors Maxwell, Leno, Newsom

Resolution commending Henry J. Leigh, upon his retirement, for his 32 years of dedication and service to the City and County of San Francisco.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021306 **[Commending Glynn Moses]**
Supervisors Maxwell, Leno, Newsom

Resolution commending Glynn Moses, upon her retirement, for her 33 years of dedicated service at the San Francisco General Hospital Community Health Network.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021307 **[Commemorating the 30th anniversary of Title IX of the Education]**
Supervisors Leno, Maxwell, Daly, Newsom

Resolution commemorating the 30th anniversary of Title IX of the Education Amendments of 1972, the federal law that prohibits sex discrimination in education including athletic programs and opportunities.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

021310 **[PUC contract with Primus Infrastructure and Jacobs Civil Inc. for program management services.]**
Supervisor Peskin

Hearing regarding the Public Utilities Commission's progress toward implementing its contract with Primus Infrastructure and Jacobs Civil Inc. for program management services.
7/22/02, RECEIVED AND ASSIGNED to Finance Committee.

021311 **[Court Collections performed by Treasurer's Office]**
Supervisor Hall

Hearing on the Memorandum of Understanding between the Treasurer/Tax Collector and the Trial Courts on the collection of delinquent fees.
7/22/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Motions

021308 **[Directing the Budget Analyst to conduct a management audit of the SF Airport Development Bureau]**
Supervisors Peskin, Ammiano, Leno, McGoldrick, Daly, Gonzalez, Newsom

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the San Francisco International Airport's Airfield Development Bureau and to perform this management audit as the next priority assignment.
7/22/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021309 **[Legislative Analyst Request - Two-Year Budgeting]**
Supervisors Maxwell, Newsom

Motion asking the Legislative Analyst to report on the practice by local governments to operate on a two-year budget cycle. Please provide potential benefits of such practice, as well as examples of municipalities that prepare two-year budgets.
7/22/02, ASSIGNED to Board of Supervisors. Scheduled for consideration July 29, 2002
With request to provide report on August 26, 2002.

PROPOSED ORDINANCES

021236 **[Amending Section 110 of the San Francisco Building Code To Increase Fees For Services]**
Ordinance Amending Section 110 of The San Francisco Building Code To Increase Fees For Department of Building Inspection Services. (Building Inspection Department)
7/17/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

PROPOSED RESOLUTIONS

021137 **[Contracting out of Facility Security Services]**
Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)

(Fiscal impact; Public Benefit Recipient)
7/11/02, RECEIVED AND ASSIGNED to Finance Committee.

021215 **[Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]**
Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)
7/11/02, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2002, at 3:00 p.m.

021230 **[Airport Concession Support Program Lease]**

Resolution approving the Airport Concession Support Program between Action Cellular-Cellular Phone Rental Service Lease; Andale SFO - New International Terminal Food and Beverage Lease; Bank of America - Domestic Banking Services Lease; Bayport Concessions LLC dba Willow Street Woodfired Pizza - New International Terminal Food and Beverage Lease; Books, Inc. - North Terminal Bookstore Lease; Buth-Na-Bodhaige, Inc. dba The Body Shop - Boarding Area "F" Cosmetic and Toiletries Lease; CalStar Retail, Inc. - Boarding Area "F" Newsstand Lease and North Terminal Candy Cart/Kiosk Lease; Clear Channel Airports - Airport Advertising Program Lease and SFO Cyber Room Technology Showcase Lease; D. Mitchell Concessions dba Harry Denton's - New International Terminal Food and Beverage Lease; D-Lew Enterprises dba Il Fornaio - New International Terminal Food and Beverage Lease; Deli-Up Enterprises, LLC - New International Terminal Food and Beverage Lease; Discovery Channel Stores - New International Terminal Nature Theme Store Lease; Ebisu, Inc. - New International Terminal Food and Beverage Lease; Emporio Rulli - New International Terminal Food and Beverage Lease; Fung Lum Express, LLC - New International Terminal Food and Beverage Lease; Gotham Foods Two, LLC dba Firewood Café - New International Terminal Food and Beverage Lease; Harbor Airport, LLC dba Harbor Village - New International Terminal Food and Beverage Lease; Host International, Inc. - North Terminal Concession Opportunity Lease, Boarding Areas "B" and "C" Bookstores Lease, New International Terminal Aviation Store Lease, and North Terminal Hub Principal Retail Concession Lease; Lori's Diner International - New International Terminal Food and Beverage Lease; Nidal Nazzal dba Burger Joint - New International Terminal Food and Beverage Lease; North Terminal Shines - Shoeshine Service Lease; OSI-MB-Boarding Area "F" Executive Writing Instruments Lease; Pacific Gateway Concessions, LLC - Boarding Areas "B" and "C" Principal Retail Concession Lease; Pacific Golf Partners, LLC - New International Terminal Golf Shop Lease; Polk-Townsend and Associates dba Café Metro - New International Terminal Food and Beverage Lease; Rosedale-Wilsons dba Wilsons Leather - North Terminal Concourse Fine Leather Goods Lease; San Francisco Museum of Modern Art - New International Terminal Museum Store Lease; See's Candies, Inc. - North Terminal Candy Store Lease (upon execution of the Lease); SFO Hairport - New International Terminal Hair Salon Lease; Smarte Carte - Public Lockers and Over-the-Counter Baggage Lease; Tomokazu Japanese Cuisine (SFO), Inc. - New International Terminal Food and Beverage Lease; Travelex America, Inc. - ATM Lease A in the New International Terminal, ATM Lease B in the New International Terminal, and Foreign Currency Lease; U-Threads - Boarding Area "F" Collegiate Apparel Lease; WH Smith Hotel Services - New International Terminal Bookstore/Café Lease; and Yoko, Inc. dba Osho Japanese Cuisine - New International Terminal Food and Beverage Lease; and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)
7/12/02, RECEIVED AND ASSIGNED to Finance Committee.

021231 **[Recurring FY2002-2003 State grant funds to DPH from the California Department of Health Services]**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2002-2003. (Public Health Department)
7/17/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021232 **[Study of HIV prevention in beerhalls in Harare, Zimbabwe]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $36,991 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a randomized trial of HIV prevention in beerhalls in Harare, Zimbabwe, for the period of May 1, 2002, to April 30, 2003. (Public Health Department)
7/17/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021233 **[Support and enhance podiatry, nutrition, and diabetic nurse educator services at the Potrero Hill Health Center]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $75,000 from the Franklin Benevolent Corporation (FBC) to expand on-site direct patient care services for vulnerable and high-risk patients at the Potrero Hill Health Center and to enter into an agreement for the use of these funds; for the period of July 1, 2002 through June 30, 2003. (Public Health Department)

7/16/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021234 **[Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]**

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

7/16/02, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 26, 2002, at 3:00 p.m.

021237 **[Contracting out City Services]**

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)

(Public Benefit Recipient.)

7/17/02, RECEIVED AND ASSIGNED to Finance Committee.

021238 **[Campaign to educate the driving public on how to yield to responding emergency vehicles - fire, police, and ambulances]**

Resolution authorizing the San Francisco Fire Department to accept and expend a new grant in the amount of $101,366 from the Office of Traffic Safety for the "Please Abide, Move Aside" program. (Fire Department)

7/17/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

Requests Granted

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft legislation that allows the Department of Public Works to recoup its costs for the abatement of debris caused by illegal dumping on vacant lots that are leased by the City and County of San Francisco.

From: Supervisor Newsom
To: Superintendent, S.F. Unified School District (SFUSD)
Requesting/Inquiring: To report on any existing set of protocols or responses utilized by SFUSD staff for serving those children or youth experiencing asthma episodes on school sites for Child Development Centers, and, in particular:
1. What is the status of SFUSD implementing those recommendations cited in the Condition Critical Report: BVHP Schools and Community Asthma Study Report (1999)?
2. What is the status of a study generated by the SFUSD in January 2001 to conduct a district-wide study adopting policies that are asthma friendly?
3. What is the status of the implementation of the Indoor Air Quality Policy, which was adopted in November 2000?

From: Supervisor Hall
To: Chief, Police Department
Requesting/Inquiring: To report how many citations have been issued under Section 124 of the Police Code. Please break down the citations issued by date and location.

From: Supervisor Gonzalez
To: City Attorney
Requesting/Inquiring: To draft legislation which will amend the San Francisco Planning Code Section 303 related to Conditional Uses to provide for the revocation of a Conditional Use authorization upon a finding by the Planning Commission that a project sponsor provided false information in the process of seeking Conditional Use approval or otherwise did not comply with the conditions finally imposed by the City and County of San Francisco.

In Memoriams

In Memoriams
Dwight Steele (Supervisor Peskin)
Sam Sternberg (Supervisor Peskin)
Michael Daniel Kelly (Supervisor Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 8:50 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 17, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
DEC 27 2002
SAN FRANCISCO
PUBLIC LIBRARY

Monday, July 29, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 30

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors McGoldrick, Sandoval - 2.

Quorum present.

Supervisors McGoldrick, Sandoval were noted present at 2:01 p.m.

APPROVAL OF MEETING MINUTES

Motion to approve the May 20 and May 28, 2002 Meeting Minutes.

Supervisor Leno, seconded by Supervisor Maxwell, moved to approve meeting minutes of May 20 and May 28, 2002. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

There were none.

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Yee, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could introduce guests.

The President resumed the Chair shortly thereafter.

Introduction of Guests

President Ammiano introduced, and welcomed the following representatives of Turkey as representatives of the International Diplomacy Council:
Mr. Yildiray Arikan, Mr. Cengi Varnatpu, Ms. Cihan Sincar and Mr. Mehmet Yasar Cerci.

CONSENT AGENDA

Recommendations of the Finance Committee

021137 **[Contracting out of Facility Security Services]**
Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)

(Fiscal impact; Public Benefit Recipient)

Resolution No. 515-02
ADOPTED

021188 **[Contracting out Shuttle Bus Service]**
Resolution approving retroactively, the Controller's certification that shuttle bus services for San Francisco International Airport's Long-Term Parking Lot, the employee garage and surface Lot DD can practically be performed by private contractor at a lower cost than if work were performed by City and County employees. (Airport Commission)

(Fiscal impact.)

Resolution No. 517-02
ADOPTED

021199 **[Contracting out Paratransit Services]**
Resolution concurring retroactively, with the controller's certification that paratransit services for the Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by city and county employees. (Municipal Transportation Agency)

(Fiscal impact.)

Resolution No. 518-02
ADOPTED

Recommendation of the Health and Human Services Committee

021138 [Develop and implement plans for public health preparedness and response to bioterrorism]
Supervisor Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $204,352 from the State of California Department of Health Services (CDHS), to further develop and implement plans for public health preparedness and response to bioterrorism and to enter into an agreement for the use of these funds; for the period of February 15, 2002 through August 31, 2003. (Public Health Department)

Resolution No. 516-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

021169 **[Affordable Housing Bonds Special Election]**
Mayor, Supervisors Ammiano, Daly, McGoldrick, Leno, Sandoval, Maxwell, Newsom

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 5, 2002, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds by the City (or one of its agencies, departments or enterprises) in the principal amount of Two Hundred Fifty Million Dollars ($250,000,000) to finance the acquisition, construction and/or rehabilitation of housing affordable to low- and moderate-income households and financial assistance to low- and moderate-income first-time homebuyers and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and imposing certain limitations on the use of bonds proceeds. (Mayor)

(Fiscal impact.)

Ordinance No. 166-02
FINALLY PASSED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

Recommendations of the Budget Committee

020958 **[Public Employment, Fiscal Year 2002-03]**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2003, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Human Resources Department)

(Fiscal impact; Companion measure to Files 020956, 020957.)

Ordinance No. 175-02
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

020957 **[Government Funding for Fiscal Year 2002-03]**

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2003. (Mayor)

(Fiscal impact; Companion measure to Files 020956, 020958.)

Ordinance No. 174-02

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

021076 **[Street fairs fees]**
Mayor

Ordinance amending Traffic Code Section 806 to charge street fairs where alcoholic beverages are served the full cost of police services, subject to a graduated series of caps based on attendance, to eliminate ISCOTT's authority to waive payment of the cost of police services for those street fairs, and to provide for annual adjustments of these fees and caps to reflect changes in the Consumer Price Index. (Mayor)

Ordinance No. 171-02

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Finance Committee

021185 **[Emergency Response Fee Amendments]**
Supervisors Daly, Ammiano, Gonzalez, McGoldrick, Sandoval, Leno

Ordinance amending Section 755 of the San Francisco Business and Tax Regulations Code by increasing the Emergency Response Fee rates for standard telephone access lines from $1.00 to $1.25 per month, for trunk lines from $7.50 to $9.38 per month, and for high capacity trunk lines from $135 to $168.75 per month.

Ordinance No. 173-02

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

From the Clerk

021286 **[Adopting findings related to the conditional use appeal on property located at 2001 - 37th Avenue (aka Rivera Street)]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.1203C (which approved the installation of six antennas mounted within fiberglass screens, and three equipment cabinets installed inside the existing rooftop penthouse on a St. Ignatius College Preparatory building as part of a wireless telecommunications network operated by Cingular Wireless) for property in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District which is located at 2001 - 37th Avenue (aka 2750 Rivera Street), west side between Ortega and Quintara Streets (Lot 6 in Assessor's Block 2094). (Clerk of the Board)

(Companion measure to Files 021160, 021161, 021162, 021163.)

Supervisor Peskin, seconded by Supervisor Daly, moved an amendment of the whole bearing same title.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Motion No. M02-120

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Public Works and Public Protection Committee

021135 **[Fire Code]**

Ordinance repealing the San Francisco Fire Code and adopting, in its entirety, a new San Francisco Fire Code. (Fire Department)

Ordinance No. 172-02

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

PUBLIC COMMENT

Abadalah Megahed; homelessness
Richard Robertson; homelessness
Tom McDonagh; old theatres
Ernestine Weiss; bond issues
James Chaffe; Public Library

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

021309 [Legislative Analyst Request - Two-Year Budgeting]
Supervisors Maxwell, Newsom

Motion asking the Legislative Analyst to report on the practice by local governments to operate on a two-year budget cycle. Please provide potential benefits of such practice, as well as examples of municipalities that prepare two-year budgets.

APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff

021190 [Closed Session - Status of Potential AT&T Merger Litigation]
Motion that the Board of Supervisors convene in closed session for the purpose of discussing the status of the potential AT&T merger litigation.

Supervisor Newsom, seconded by Supervisor Daly, moved to convene in closed session. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recess

The Board recessed at the hour of 3:17 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 4:43 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee - 11.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee;
Dennis Herrera, City Attorney
Ted Lakey, Deputy City Attorney;
William Sanders, Deputy City Attorney
Lisa Gelb, Deputy City Attorney;
Julia Friedlander, Deputy City Attorney;
Brian Roberts, Principal Policy Analyst, DTIS;
Lewis Loeven, Director, DTIS;
Denise Brady, Deputy Director, DTIS;
Gloria L. Young, Clerk of the Board;
Kay Gulbengay, Deputy Clerk;
Victor Young, Assistant Clerk.

The meeting was informational only and no action was taken.
HEARD IN CLOSED SESSION by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Continued to August 5, 2002 meeting.
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Newsom, seconded by Supervisor McGoldrick, moved Not to Disclose Closed Session Deliberations. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

021299 **[Urging the Presidio Trust Management to have independent verification]**
Supervisor Yee

Resolution urging the Presidio Trust Management to have an independent verification and examination of their financial model and all assumptions and data underlying that model by an independent Certified Public Accountant or a Certified Accounting Firm.

Resolution No. 528-02
ADOPTED

021300 **[Reaffirming the importance of CEDAW]**
Supervisors Yee, Daly, Peskin, Newsom

Resolution reaffirming the importance of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and urging Senators Boxer and Feinstein to make every effort to ensure Senate ratification of CEDAW.

Supervisors Daly, Peskin and Newsom requested to be added as a co-sponsors.

Resolution No. 519-02
ADOPTED

021302 **[Extending the operations of the SRO Task Forces to August 31, 2003]**
Supervisors Ammiano, Daly, Peskin

Resolution extending the operations of the Single Room Occupancy (SRO) Hotel Safety and Stabilization Task Force through August 31, 2003.

Supervisors Daly and Peskin requested to be added as co-sponsors.

Resolution No. 520-02
ADOPTED

021303 **[Establishing a Work Group to End the Exploitation of Youth]**
Supervisors Ammiano, Daly, Peskin

Resolution approving the formation of a work group to assess the needs of sexually exploited and abused youth.

Supervisors Daly and Peskin requested to added as co-sponsors.

Resolution No. 521-02
ADOPTED

021304 **[Commending Ingleside Presbyterian Church and Reverend Roland Gordon]**
Supervisors Sandoval, Hall

Resolution commending Ingleside Presbyterian Church and Reverend Roland Gordon on the occasion of Ingleside Presbyterian Church's 95th anniversary and Reverend Roland Gordon's 24th pastoral anniversary.

Supervisor Hall requested to be added as co-sponsor.

Resolution No. 522-02

ADOPTED

021305 **[Commending Henry J. Leigh]**
Supervisors Maxwell, Leno, Newsom

Resolution commending Henry J. Leigh, upon his retirement, for his 32 years of dedication and service to the City and County of San Francisco.

Supervisors Leno and Newsom requested to be added as co-sponsors.

Resolution No. 523-02

ADOPTED

021306 **[Commending Glynn Moses]**
Supervisors Maxwell, Leno, Newsom

Resolution commending Glynn Moses, upon her retirement, for her 33 years of dedicated service at the San Francisco General Hospital Community Health Network.

Supervisors Leno and Newsom added as co-sponsors.

Resolution No. 524-02

ADOPTED

021307 **[Commemorating the 30th anniversary of Title IX of the Education]**
Supervisors Leno, Maxwell, Daly, Newsom

Resolution commemorating the 30th anniversary of Title IX of the Education Amendments of 1972, the federal law that prohibits sex discrimination in education including athletic programs and opportunities.

Supervisors Daly and Newsom requested to be added as co-sponsors.

Resolution No. 525-02

ADOPTED

021308 **[Directing the Budget Analyst to conduct a management audit of the SF Airport Development Bureau]**
Supervisors Peskin, Ammiano, Leno, McGoldrick, Daly, Gonzalez, Newsom

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the San Francisco International Airport's Airfield Development Bureau and to perform this management audit as the next priority assignment.

Motion No. M02-121

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed From For Adoption Without Committee Reference

Suspend Rule 4.37 of the Rules of Order of the Board of Supervisors

Supervisor Gonzalez, seconded by Supervisor Peskin, moved to suspend the Rules of Order of the Board of Supervisors to move amendments to the following items. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021123 **[Negotiations Regarding GCIU Local 4N and Independent/SF Examiner IU Local 4N and the Examiner/Independent]**

Supervisors Ammiano, Daly, Gonzalez

Resolution regarding negotiations between GCIU Local 4N and the SF Examiner/Independent.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Resolution No. 514-02

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021298 **[Expedite process for open seats on Planning Commission and Board of Appeals]**

Supervisor Peskin

Resolution to expedite the process of appointing the remaining four seats of the Planning Commission and the three seats on the Board of Appeals.

Supervisor Peskin requested this matter be severed so it could be considered separately.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Resolution No. 527-02

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021301 **[Opposing S2633 and HR3782]**

Supervisors Leno, Daly, Gonzalez

Resolution urging the U.S. Senate to oppose the RAVE Act, S2633 (Reducing America's Vulnerability to Ecstacy Act) and urging the House of Representatives to oppose HR3782 sponsored by Congressman Doug Ose (D-CA).

Supervisor Hall requested this matter be severed so it could be considered separately.
Supervisor Hall requested this matter be continued to August 5, 2002.
Supervisors Daly and Gonzalez requested be added as co-sponosrs.
CONTINUED.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Leno, seconded by Supervisor Newsom, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leno, seconded by Supervisor Newsom, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021335 **[$1.15 Million Grant Application from BAAQMD to Improve Air Quality]**
Supervisor Ammiano

Resolution authorizing the City Administrator to apply for a grant in the amount of $1.15 million from the Bay Area Air Quality Management District for the purpose of implementing programs to improve air quality.

Resolution No. 503-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021337 **[Amending Building Code Section 2903 regarding single Stall Bathrooms in Public Accommodations]**
Supervisor Leno

Ordinance amending Section 2903 of the Building Code to require that single accommodation sanitary facilities in public accommodations bear signage indicating that they are usable by either sex.

7/29/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 8/28/2002.

8/6/02, Transmitted to Building Inspection Commission for review and comment.

021338 **[Third Street Alcohol Restricted Use District]**
Supervisor Maxwell

Ordinance adding Section 782 to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Zoning Map Sheet 8SU and 10SU of the City and County of San Francisco to indicate the boundaries of the Third Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/29/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 8/28/2002. 8/6/02 - Transmitted to Planning Commission for public hearing and recommendation.

021339 **[Financial Information Privacy]**
Supervisor Peskin

Ordinance amending the San Francisco Business and Tax Regulations Code to enact a new Article 20 to provide for the protection of private financial information.

7/29/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 8/28/2002.

021356 **[Prohibiting temporary exchanges or reclassifications to Deputy Director, or equivalent classifications or policy-making or policy-implementing positions that report directly to a Department Head, without approval of the Board of Supervisors]**
Supervisors Peskin, Ammiano, Daly, Gonzalez, Sandoval, McGoldrick

Draft ordinance amending Section 10.1 of the Administrative Provisions of the Annual Appropriation Ordinance to prohibit temporary exchanges or reclassifications of employee positions compensated at more than $100,000 annually without approval by the Board of Supervisors.

7/29/02, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the August 13, 2002 meeting.

Resolutions

021335 **[$1.15 Million Grant Application from BAAQMD to Improve Air Quality]**
Supervisor Ammiano

Resolution authorizing the City Administrator to apply for a grant in the amount of $1.15 million from the Bay Area Air Quality Management District for the purpose of implementing programs to improve air quality.

7/29/02, ADOPTED.

7/30/02, APPROVED.

021336 **[Consolidation of BART Election - 11/5/02]**
Supervisor Ammiano

Resolution consolidating the Bay Area Rapid Transit Election for Director's Seat in District 8 and Special District Election for a Seismic Safety Bond to be held in the City and County of San Francisco on November 5, 2002 with the General Municipal Election scheduled for the same date, and providing that the election shall be the same as for the General Municipal Election.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021340 **[Accept and Expend a Gift from Tides Foundation]**
Supervisors McGoldrick, Leno, Newsom

Resolution accepting and expending a gift in place valued at approximately $150,000 from the Tides Foundation to the Recreation and Park Department for the National AIDS Memorial Grove.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021341 **[Proclamation]**
Supervisors Ammiano, Daly

Resolution declaring the week of August 3 through August 11, 2002 as Go Congress Week in the City and County of San Francisco.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021342 **[Honoring Patricia Walkup]**
Supervisors Gonzalez, Leno, Daly, Newsom, Peskin, McGoldrick, Ammiano, Maxwell

Resolution honoring Patricia Walkup, founder and past President of the Hayes Valley Neighborhood Association.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021343 **[Prohibition on the Sale of Naming Rights]**
Supervisors Gonzalez, Hall, Daly, McGoldrick, Sandoval

Resolution urging the Recreation and Park Commission to adopt a policy prohibiting the sale or lease of naming rights of any publicly-owned facility or open space and declaring that such policy is in the public interest and shall be adopted by the City and County of San Francisco and applied to all publicly-owned property.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021344 **[Acknowledging Third Baptist Church]**
Supervisors Maxwell, Newsom

Resolution acknowledging the spiritual leadership and dedication provided by Third Baptist Church and for its numerous contributions to the people of the City and County of San Francisco on the occasion of its sesquicentennial anniversary of service.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021345 **[Urging the National Park Service, GGNRA, maintain the present configuration of the USSSF Memorial Monument.]**
Supervisors Yee, Sandoval

Resolution urging the National Park Service, Golden Gate National Recreation Area, to maintain the present configuration of the USS San Francisco Memorial Monument, and urging the National Park Service to approve the erection of two additional historical plaques.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021346 **[Proclamation]**
Supervisors Yee, McGoldrick, Peskin, Newsom

Resolution proclaiming October 12, 2002 as Green Apple Books Day and celebrating the 35th Anniversary of Green Apple Books.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Supervisors Newsom and McGoldrick requested to be added as co-sponsors.

021347 **[Commending Nikkei]**
Supervisor Peskin

Resolution commending the accomplishments of Nikkei in San Francisco and throughout the nation and welcoming the Nikkei visitors attending the Topaz reunion.

7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021348 [Commending Shanghai Festival]
Supervisors Yee, Leno, Hall, Newsom

Resolution commending the Shanghai Festival and proclaiming the fourth week of December 2002 as Shanghai Festival Week.
7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021350 [Appointment - Telecommunications Commission]
Mayor, Supervisor Daly

Resolution approving the Mayor's appointment of Sunil V. Daluvoy to the Telecommunications Commission, for the term ending July 1, 2003. (Mayor)
7/29/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021357 [Commending La Raza Centro Legal]
Supervisor Daly

Resolution commending La Raza Centro Legal for their outstanding commitment to the San Francisco day labor population and for their tremendously successful administration, management and operation of the San Francisco day labor program.
7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

021351 [CALWORKS Program]
Supervisor Newsom

Hearing to discuss the CalWORKS program currently administered by the Department of Human Services (DHS), including, but not limited to: (1) Number of CalWORKS clients to be affected by the expiration of this program; and (2) Any proposed plans by DHS to transition clients to other social services.
7/29/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021352 [Toxic Wastes on the Presidio]
Supervisor Newsom

Hearing to discern: (1) the practice of toxic wastes being dumped onto the Presidio, including but not limited to paint, solvents, diesel fuel and raw sewage; and (2) the presence of toxic materials on the Presidio.
7/29/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

021353 [Preliminary Financial Projections for 2003-04]
Supervisors Peskin, Maxwell

Hearing on the preliminary financial projections for the 2003-2004 Budget of the City and County of San Francisco.
7/29/02, RECEIVED AND ASSIGNED to Budget Committee. Sponsors request this item be scheduled for consideration at the August 13, 2002 meeting.

021354 **[Special Funds - Children's Fund and Open Space Fund]**
Supervisor Peskin

Hearing to address the Mayor's Office use of the special funds like the Children's Fund and Open Space Fund to balance the fiscal year 2002-03 Budget. The hearing will address how revenues for these funds can be better projected; and how the City can assure the public that these funds will not be used for such purposes again.
7/29/02, RECEIVED AND ASSIGNED to Budget Committee.

Motions

021334 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021349 **[Special Offsite Committee Meeting]**
Supervisor Newsom

Motion setting a special offsite meeting of the Neighborhood Services and Recreation Committee for the purpose of receiving community input concerning items including, but not limited to, toxic waste, the PTIP and other general issues at the Presidio Trust (Thursday, August 22, 2002 - 2:00 PM, at the Presidio Trust Main Post, Officers Club, 50 Moraga Avenue).
7/29/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021355 **[Legislative Analyst Request]**
Supervisor Daly

Motion asking the Legislative Analyst to study the City's Natural Areas Program, contrast and compare this program to the efforts in other cities, study and report on all resolutions and ordinances concerning the program, and interviewing all the various stakeholders who are interested in or concerned about the program.
7/29/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 5, 2002. Report no later than 30 days from introduction or August 30, 2002, whichever is later.

PROPOSED ORDINANCES

021288 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Percival Agoncillo against the City and County of San Francisco for $62,500; the lawsuit was filed on November 17, 1999 in San Francisco Superior Court, Case No. 307-953; entitled Percival Agoncillo v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)
7/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021296 **[Entertainment Commission]**
Supervisors Leno, Newsom

Ordinance amending the San Francisco Administrative Code to (i) enact a new Section 10.100-296 establishing the San Francisco Entertainment Commission Fund, and (ii) amend Section 90.9 of Chapter 90 relative to the fees for licenses and permits issued by the San Francisco Entertainment Commission.

7/22/02, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

021282 **[Accept-Expend FHWA Value Pricing Pilot Program Grant]**
Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept and expend a grant in the amount of $378,186.40 from the Federal Highway Administration and the California State Department of Transportation to assist in the development and administration of the City CarShare program. (Parking and Traffic Department)

7/18/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021283 **[Certification of Lower Cost Services]**
Resolution concurring with the Controller's certification that proposed services to be provided by PRWT Services, Inc. can be performed at a lower cost than similar services performed by City and County employees. (Parking and Traffic Department)

(Fiscal impact; Companion measure to File 021284.)

7/22/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 14, 2002 meeting.

021284 **[Extension of Agreement with PRWT Services, Inc.]**
Resolution authorizing a two-year extension of the agreement between PRWT Services, Inc. and the City and County of San Francisco. (Parking and Traffic Department)

(Fiscal impact.)

7/22/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 14, 2002 meeting.

021287 **[Settlement of Claim]**
Resolution approving the Settlement of Unlitigated Claim of California Department of Forestry and Fire Protection (CDF) for $50,000.00; Claim was filed on December 28, 2001. (City Attorney)

7/23/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021289 **[Extension of Water Department Contract with Westin Engineering, Inc. for construction support services, and assistance with claims analysis and dispute resolution or the S.F. Water Supervisory Control and Data Acquisition (SCADA) project beyond 10 years]**

Resolution pursuant to Charter Sec. 9.118 approving an extension of the term beyond ten years of San Francisco Public Utilities Commission's professional services contract number CS-460 with Westin Engineering, Inc. for construction support services in connection with the San Francisco Water Supervisory Control and Data Acquisition (SCADA) project to cover the duration of the related construction contract, including closeout of the construction contract. (Public Utilities Commission)

(Fiscal impact.)

7/24/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021290 **[Modification to the Professional Service Agreement for Construction Management Services for SFO AirTrain for a new total contract amount]**

Resolution approving Modification No. 7, the Close-out Modification, to Professional Services Agreement, Contract 5700CM - Construction Management Services for the AirTrain System, with PGH Wong Engineering/Luster Construction Management, in the amount of $2,644,367 for a new total contract amount not to exceed $32,847,364. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

7/24/02, RECEIVED AND ASSIGNED to Finance Committee.

021291 **[Accept-Expend Federal Grant]**

Resolution authorizing the Airport Commission to accept and expend a Federal Airport Improvement Program grant in the amount of $5,291,558.00 from the U.S. Department of Transportation Federal Aviation Administration, and approving Modification Nos. 4 and 5 to Contract No. 4240.1 for preparation of environmental impact studies for the proposed runway reconfiguration project, for a total contract amount not to exceed $19,741,558. (Airport Commission)

(Public Benefit Recipient.)

7/24/02, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Newsom
To: Acting Executive Director, Presidio Trust
Requesting/Inquiring: Requesting the Board of Supervisors be copied on the Presidio Trust's response to a recent letter sent to the Presidio Trust by Congressional members, Nancy Pelosi and George Miller, regarding the allegations of improper disposal of toxic materials at the Presidio.

From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Regarding the absence of a street sign reading "Persia Avenue" at the intersection of Persia and Ocean Avenues.

From: Supervisor Sandoval
To: Chief, Police Department
To: Director, Department of Parking and Traffic
To: Director, Department of Public Works
To: Director, Bureau of Street Use and Mapping
Requesting/Inquiring: That the Chief of Police and the Directors of Parking and Traffic, Public Works, Bureau of Street Use and Mapping provide any information on established policies related to containerized moving and/or mobile storage companies.
1. How does each department officially define mobile storage containers?
2. How many permits have been issued to mobile storage companies in the last year?
3. What is the time and weight limit for mobile storage container permits?
4. Are customers of the mobile storage companies responsible for obtaining permits?
5. Does a penalty fee structure exist to address issues related to mobile storage containers?
6. Does the Department have any recommendations to address issues related to mobile storage containers?

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft an ordinance that establishes a permit process to address issues related to mobile storage companies.

From: Supervisor Daly
To: Director, Department of Human Services
To: Director, Department of Public Health
To: Director, Mayor's Office on Homelessness
To: Director, Department of Public Works
To: General Manager, Public Utilities Commission
Requesting/Inquiring: That the Directors of Human Services, Public Health, Office on Homelessness, Public Works and the General Manager of Public Utilities Commission report on the steps taken to disband the 7th and Berry Street encampment, with a specific report on any count or census of persons at the site, including demographic information. Also, to report on the services provided to these persons. Specifically, to report on the number of homeless persons placed in housing as a result of the actions last weekend, and the complete cost of the action in terms of staff time and equipment usage.

From: Supervisor Daly
To: Chief of Police
To: District Attorney
Requesting/Inquiring: That the Chief of Police and District Attorney report on the shooting of an eight-year old at McCoppin and Valencia Streets on the evening of July 28, 2002. Specifically, to report on the efforts to apprehend the individuals involved.

From: Supervisor Gonzalez

To: City Attorney
Requesting/Inquiring: To draft legislation, which would prohibit the sale or lease of naming rights to any publicly owned facility or space.

From: Supervisor Leno
To: Acting Executive Director, Presidio Trust
Requesting/Inquiring: To respond to accusations that former employees have made that trust officials ordered workers to bury 12 barrels of hazardous material in a 16-20 foot pit in the Presidio Park lands.

In Memoriams

Florence Sinton (Supervisor Peskin)
Paul J. Walti, Sr. (Supervisor Hall)
Jennifer Small (The Entire Board)

ADJOURNMENT

There being no further business, the Board at the hour of 4:45 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 17, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
DEC 27 2002
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Monday, August 5, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 31

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Leland Y. Yee.

Members Absent: Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Newsom, Peskin, Sandoval, Yee - 4.

Quorum present.

Supervisors Newsom, Peskin, Yee were noted present at 2:01 p.m.

Supervisor Sandoval was excused. (see infra)

Supervisor Sandoval Excused from Attendance

Supervisor Leno, seconded by Supervisor Daly, moved to excuse Supervisor Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

APPROVAL OF MEETING MINUTES

Motion to approve the June 3, 2002 Meeting Minutes.

Supervisor Leno, seconded by Supervisor Yee, moved to approve meeting minutes of June 3, 2002. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled, or considered differently.

There were none.

CONSENT AGENDA

Recommendations of the Finance Committee

020483 **[Donation of Equipment]**
Supervisor Daly

Resolution authorizing a donation of one surplus Police van to the City of Concord, California, for use in its Police Department's emergency response efforts. (Police Department)

Resolution No. 529-02
ADOPTED

021237 **[Contracting out City Services]**
Resolution concurring, retroactively, with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a lower cost than similar work services performed by City and County employees. (District Attorney)

(Public Benefit Recipient.)

Resolution No. 530-02
ADOPTED

Recommendation of the Transportation and Commerce Committee

021174 **[Stop Intersections]**
Supervisor Newsom

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
17th and Shotwell Streets, stopping 17th Street at Shotwell Street, making this intersection an all-way STOP;
El Camino Del Mar and Seacliff Avenue, stopping northbound El Camino Del Mar at Seacliff Avenue, making this intersection an all-way STOP;
Girard Avenue and Silliman Street, stopping Silliman Street at Girard Avenue, making this intersection an all-way STOP;
17th and Rhode Island Streets, stopping 17th Street at Rhode Island Street, making this intersection an all-way STOP;
Octavia and Washington Streets, stopping Octavia Street at Washington Street, making this uncontrolled T-intersection a one-way STOP; and
Alameda Street and Treat Avenue, stopping eastbound Alameda Street at Treat Avenue, making this uncontrolled T-intersection a one-way STOP. (Parking and Traffic Department)

(DPW Order No. 2452.)
(6/26/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in use of the street.)

Resolution No. 531-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Finance Committee

011178 **[Motor Vehicle for Hire Permit Filing Fees and License Fees]**
Ordinance amending Sections 2.26.1 and 2.27.1 of the Police Code to amend schedules for motor vehicle for hire permit filing fees and license fees. (Taxi Commission)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 1 - Ammiano
Absent: 1 - Sandoval

From Finance Committee Without Recommendation

021141 **[Agreement for Stadium Advertising]**
Supervisor Maxwell

Ordinance approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for stadium advertising and naming rights and for the performance of certain capital repairs at the stadium located at Candlestick Point.

The authorization of an agreement with the San Francisco Forty Niners, Ltd., for naming rights was divided and considered separately. See File No. 021397.
DIVIDED.

Ordinance approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for the sale of stadium advertising and for the performance of certain capital repairs at the stadium located at Candlestick Point.

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Noes: 2 - Gonzalez, McGoldrick
Absent: 1 - Sandoval

021397 **[Agreement for Naming Rights]**
Supervisor Maxwell

Ordinance approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for the sale of naming rights and for the performance of certain capital repairs at the stadium located at Candlestick Point.

Divided from File No. 021141.
NOT PASSED ON FIRST READING by the following vote:
Ayes: 5 - Leno, Maxwell, Newsom, Peskin, Yee
Noes: 5 - Ammiano, Daly, Gonzalez, Hall, McGoldrick
Absent: 1 - Sandoval

Recommendations of the Transportation and Commerce Committee

021069 **[Designating the Drexler/Colombo Building at 1-21 Columbus Avenue and 612-624 Washington Street as a Landmark]**
Supervisors Peskin, Daly, Leno, Newsom, Hall

Ordinance designating 1-21 Columbus Avenue and 612-624 Washington Street, the Drexler/Colombo Building, Lot 4 in Block 195, as Landmark No. 237 and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisors Daly, Leno, and Hall requested to be added as co-sponsors.
PASSED, ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

021179 **[Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING ANYTIME, 8 PM - 8 AM, EVERYDAY - ESTABLISH
Mendell Street, west side, from 93 feet to 137 feet south of Oakdale Avenue (44-foot zone); and
Mendell Street, east side, from 3rd Street to 112 feet northerly (112-foot zone).

ONE-HOUR PARKING TIME LIMIT, APRIL THROUGH OCTOBER, 7 AM TO 10 PM, MONDAY THROUGH FRIDAY; 9 AM TO 6 PM, SATURDAY AND SUNDAY - RESCIND
ONE-HOUR PARKING TIME LIMIT, NOVEMBER THROUGH MARCH, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
PARKING METERS (EXTEND PARKING METER AREA 3) - ESTABLISH
3rd Street, both sides, between King and Townsend Streets.

PARKING METERS (EXTEND PARKING METER AREA 3) - ESTABLISH
King Street, north side, from 135 feet to 212 feet and 278 feet to 346 feet west of 2nd Street (77-foot and 68-foot zones, respectively).

RESIDENTIAL PERMIT PARKING AREA "Z" (TWO-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
27th Street, both sides, between Noe and Sanchez Streets (400 block).

UNMETERED MOTORCYCLE PARKING - RESCIND
UNMETERED MOTORCYCLE PARKING, 7 PM to 7 AM, DAILY - ESTABLISH
6th Street, east side, from nine feet to 30 feet south of Harrison Street, accommodating six motorcycle stalls.
4 HOUR PARKING TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Van Ness Avenue, center parking area, from North Point Street to 300 feet northerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
18th Street, north side, from 52 feet east of Rhode Island Street to Carolina Street.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 3rd Street to 140 feet easterly; and
Folsom Street, north side, from 2nd Street to 140 feet easterly.

NO PARKING ANYTIME - RESCIND
TOW AWAY NO PARKING ANYTIME - ESTABLISH
Burgoyne Street, both sides, south of Pacific Avenue.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
133 Palm Avenue, west side, from 263.5 feet to 270.5 feet south of Euclid Avenue (seven-foot zone in front of 133 Palm Avenue, accommodating two motorcycle stalls).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH
Broderick Street, east side, from Sutter Street to 15 feet northerly; and
Sutter Street, north side, from Broderick Street to 14 feet easterly.

NO PARKING ANYTIME - ESTABLISH
Sears Street, along the south terminus, south of Sickles Avenue.

NO PARKING ANYTIME - ESTABLISH
Lyon Street, east side, from Green Street to 150 feet southerly to the terminus and from the terminus to 36 feet westerly.

1366 Hayes Street, between the driveways of 1366 and 1370 Hayes Street (12-foot zone, accommodating two motorcycle stalls).

RESIDENTIAL PERMIT PARKING AREA "S" (TWO-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Sanchez Street, both sides, between Hill and Liberty Streets (portions of the 700 and 800 blocks).

RESIDENTIAL PERMIT PARKING AREA "S" (FOUR-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hill Street, both sides, between Church and Sanchez Streets (300 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
1570 -1574 Waller Street, north side, from 100 feet to 109.5 feet west of Belvedere Street (9.5 foot zone in front of 1570-1574 Waller Street, accommodating one motorcycle only). (Parking and Traffic Department)

Resolution No. 532-02

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

COMMITTEE REPORTS

Supervisor Newsom Recused from Voting

Supervisor Maxwell, seconded by Supervisor Daly, moved to recuse Supervisor Newsom from voting on File Nos. 021292 and 021294. The motion carried by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez. Hall, Leno. Maxwell, McGoldrick, Peskin, Yee
Absent: 1 - Sandoval

From Finance Committee

021292 [Business Tax]
Supervisor McGoldrick

Motion submitting the San Francisco Business Tax Reform Ordinance 2002 to the qualified electors of the City and County of San Francisco, at the November 5, 2002 general municipal election.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee
Absent: 1 - Sandoval
Excused: 1 - Newsom

021294 [Business Tax]
Supervisor McGoldrick

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax on persons engaging in business in San Francisco as a lessor of real estate; (2) amend Article 12-A (Payroll Expense Tax Ordinance) to (i) reduce businesses' taxable payroll expense by the amount of payroll expense attributable to their San Francisco business activities taxed under Article 12-A-1 (Gross Receipts Tax Ordinance), (ii) conform Article 12-A (Payroll Expense Tax Ordinance) with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 6 (Common Administrative Provisions), (iii) repeal the $500 surplus business tax revenue credit set forth in Section 906E, and (iv) consolidate exemptions, definitions and other administrative provisions, as amended, that apply to Article 12-A (Payroll Expense Tax Ordinance) and other Articles of the Business and Tax Regulations Code, and place them in Article 6 (Common Administrative Provisions); (3) amend Article 12 (Business Registration Ordinance) to conform business registration requirements with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 6 (Common Administrative Provisions); (4) amend Article 6 (Common Administrative Provisions) to (i) clarify common administrative provisions and conform them with the enactment of Article 12-A-1 (Gross Receipts Tax Ordinance) and amendments to Article 12-A (Payroll Expense Tax Ordinance) and Article 12 (Business Registration Ordinance), (ii) consolidate exemptions, definitions and other administrative provisions that apply to Article 12-A (Payroll Expense Tax Ordinance), Article 12-A-1 (Gross Receipts Tax Ordinance), Article 12 (Business Registration Ordinance) and other Articles of the Business and Tax Regulations Code, and (iii) eliminate the Board of Review; and (5) amend Section 501 of Article 7 to clarify the definition of "Permanent Residents" exempt from the tax on the transient occupancy of hotel rooms.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee
Absent: 1 - Sandoval
Excused: 1 - Newsom

PUBLIC COMMENT

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair.

021355 **[Legislative Analyst Request]**
Supervisor Daly

Motion asking the Legislative Analyst to study the City's Natural Areas Program, contrast and compare this program to the efforts in other cities, study and report on all resolutions and ordinances concerning the program, and interviewing all the various stakeholders who are interested in or concerned about the program.

APPROVED by the following vote:
Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Ammiano, Sandoval

The President resumed the Chair shortly thereafter.

PUBLIC COMMENT

Patricia Boyde, historical buildings;
Male speaker, homelessness;
Bernan Ma, homelessness;
Christian Milton Hanks, labor leader, recycling;
John Bardis, budget process;
Brad Burson, Chinese government;
James Chaffie, finance disclosure;
Jack Dotson and male speaker, name of Candlestick Park.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

021321 **[Anticipated Litigation]**
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff or defendant) which may occur with Television Signal Corporation and AT&T Broadband et al. regarding compliance with the City's cable television franchise and AT&T Broadband's proposed merger with Comcast. (City Attorney)

This closed session would be permitted by Government Code Section 54956.9(b) and (c) and the San Francisco Administrative code Section 67.10(d).

Supervisor Daly, seconded by Supervisor Hall, moved. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Recess

The Board recessed at the hour of 4:25 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board at the hour of 5:05 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee - 10

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from the City Attorney regarding pending litigation.

Persons in attendance:
Supervisors Ammiano,Daly, Gonzalez, Hall. Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Dennis Herrera, City Attorney
Ted Lakey, Deputy City Attorney
William Sanders, Deputy City Attorney
Lisa Gelb, Deputy City Attorney
Julia Friedlander, Deputy City Attorney
Brian Roberts, Principal Policy Analyst, DTIS
Lewis Loeven, Director, DTIS
Edward Harrington, Controller
Kay Gulbengay, Deputy Clerk
Victor Young, Assistant Clerk

HEARD IN CLOSED SESSION by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 3 - Hall, Leno, Sandoval

Continued to August 19, 2002.

CONTINUED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 3 - Hall, Leno, Sandoval

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Newsom, seconded by Supervisor Peskin, moved. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 3 - Hall, Leno, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

021336 **[Consolidation of BART Election - 11/5/02]**
Supervisor Ammiano

Resolution consolidating the Bay Area Rapid Transit Election for Director's Seat in District 8 and Special District Election for a Seismic Safety Bond to be held in the City and County of San Francisco on November 5, 2002 with the General Municipal Election scheduled for the same date, and providing that the election shall be the same as for the General Municipal Election.

Resolution No. 526-02
ADOPTED

021340 **[Accept and Expend a Gift from Tides Foundation]**
Supervisors McGoldrick, Leno, Newsom

Resolution accepting and expending a gift in place valued at approximately $150,000 from the Tides Foundation to the Recreation and Park Department for the National AIDS Memorial Grove.

Supervisors Leno and Newsom requested to be added as co-sponsors.
Resolution No. 534-02
ADOPTED

021341 **[Proclamation]**
Supervisors Ammiano, Daly

Resolution declaring the week of August 3 through August 11, 2002 as Go Congress Week in the City and County of San Francisco.

Supervisor Daly requested to be added as co-sponsor.
Resolution No. 535-02
ADOPTED

021342 **[Honoring Patricia Walkup]**
Supervisors Gonzalez, Leno, Daly, Newsom, Peskin, McGoldrick, Ammiano, Maxwell

Resolution honoring Patricia Walkup, founder and past President of the Hayes Valley Neighborhood Association.

Resolution No. 536-02
ADOPTED

021344 **[Acknowledging Third Baptist Church]**
Supervisors Maxwell, Newsom

Resolution acknowledging the spiritual leadership and dedication provided by Third Baptist Church and for its numerous contributions to the people of the City and County of San Francisco on the occasion of its sesquicentennial anniversary of service.

Supervisor Newsom requested to be added as co-sponsor.
Resolution No. 537-02
ADOPTED

021345 **[Urging the National Park Service, GGNRA, maintain the present configuration of the USSSF Memorial Monument.]**

Supervisors Yee, Sandoval

Resolution urging the National Park Service, Golden Gate National Recreation Area, to maintain the present configuration of the USS San Francisco Memorial Monument, and urging the National Park Service to approve the erection of two additional historical plaques.

Supervisor Sandoval requested be added as a co-sponsor.

Resolution No. 538-02

ADOPTED

021346 **[Proclamation]**

Supervisors Yee, McGoldrick, Peskin, Newsom

Resolution proclaiming October 12, 2002 as Green Apple Books Day and celebrating the 35th Anniversary of Green Apple Books.

Supervisors Peskin and Newsom requested to be added as co-sponsors.

Resolution No. 539-02

ADOPTED

021347 **[Commending Nikkei]**

Supervisor Peskin

Resolution commending the accomplishments of Nikkei in San Francisco and throughout the nation and welcoming the Nikkei visitors attending the Topaz reunion.

Resolution No. 540-02

ADOPTED

021348 **[Commending Shanghai Festival]**

Supervisors Yee, Leno, Hall, Newsom

Resolution commending the Shanghai Festival and proclaiming the fourth week of December 2002 as Shanghai Festival Week.

Supervisors Leno, Hall, and Newsom requested to be added as co-sponsors.

Resolution No. 541-02

ADOPTED

021357 **[Commending La Raza Centro Legal]**

Supervisor Daly

Resolution commending La Raza Centro Legal for their outstanding commitment to the San Francisco day labor population and for their tremendously successful administration, management and operation of the San Francisco day labor program.

Resolution No. 543-02

ADOPTED

021334 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M02-122
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

Severed from for Adoption Without Committee Reference

Suspend Rule 2.11 of the Rules of Order of the Board of Supervisors

Supervisor Hall, seconded by Supervisor McGoldrick, moved to suspend the Rules of Order of the Board of Supervisors. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

021301 **[Opposing S2633 and HR3782]**
Supervisors Leno, Daly, Gonzalez

Resolution urging the U.S. Senate to oppose the RAVE Act, S2633 (Reducing America's Vulnerability to Ecstacy Act) and urging the House of Representatives to oppose HR3782 sponsored by Congressman Doug Ose (D-CA).

Supervisor Hall requested this matter be severed so it could be considered separately.

Resolution No. 533-02

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 1 - Hall
Absent: 1 - Sandoval

021343 **[Prohibition on the Sale of Naming Rights]**
Supervisors Gonzalez, Hall, Daly, McGoldrick, Sandoval

Resolution urging the Recreation and Park Commission to adopt a policy prohibiting the sale or lease of naming rights of any publicly-owned facility or open space and declaring that such policy is in the public interest and shall be adopted by the City and County of San Francisco and applied to all publicly-owned property.

Supervisor Gonzalez requested this matter be severed so it could be considered separately.

Supervisor Gonzalez requested this item be referred to committee.
REFERRED to the Finance Committee.

021349 **[Special Offsite Committee Meeting]**
Supervisor Newsom

Motion setting a special offsite meeting of the Neighborhood Services and Recreation Committee for the purpose of receiving community input concerning items including, but not limited to, toxic waste, the PTIP and other general issues at the Presidio Trust (Thursday, August 22, 2002 - 2:00 PM, at the Presidio Trust Main Post, Officers Club, 50 Moraga Avenue).

Supervisor McGoldrick requested this matter be severed so it could be considered separately.

Motion No. M02-123

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

021358 **[Safe Haven for Newborns Task Force]**
Supervisor Hall

Resolution establishing a Safe Haven for Newborns Task Force charged with determining how to implement SB 1368, which provides for the safe surrender of unwanted newborns. The Task Force shall be comprised of one representative from each of the following agencies or organizations: the Department of Public Health, the District Attorney's Office, the Fire Department, the Department of Children Youth, and their Families, the Juvenile Probation Department, the Youth Commission (or their designee), the San Francisco Unified School District, the Mental Health Board, the Department of Human Services, the Police Department, and a member of the community with expertise in the area of domestic violence.

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021359 **[Voting Modernization Bond Act of 2002]**
Supervisors Peskin, Gonzalez, Daly

Resolution approving the application for funds under the Voting Modernization Bond Act of 2002 (Proposition 41).

8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021360 **[State grant funds of $100,000 for a study of the coastal erosion occurring at Ocean Beach and potential methods of control]**
Supervisor McGoldrick

Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of $100,000 from the Coastal Resources Grant Program for the Ocean Beach Erosion Control Project in the City and County of San Francisco.

(No Public Benefit Recipient.)
8/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee. Sponsor requests this item be scheduled for consideration at the August 22, 2002 meeting.

021361 **[Urge GGNRA make available information on ANPR process]**
Supervisor Yee

Resolution urging the National Park Service, GGNRA, to make available to those requesting information on the ANPR process, documents showing the design, methodology, and protocols for analyzing Public Comment, the telephone survey, and any other Technical Information that will be supplied to the Federal panel for the ANPR process regarding Pet Management in the GGNRA.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021362 **[Accept and expend funds for "Nature by Design" Trade Show]**
Supervisor Yee

Resolution accepting the raising of funds and receipt of door prizes for expenditure for and at the "Nature by Design" Trade Show, through the Mayor's Office of Economic Development.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021363 **[Commend Nagi Daifullah]**
Supervisors Yee, Sandoval

Resolution commending the courage and legacy of farm worker Nagi Daifullah.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021364 **[Issuance and Sale of Revenue Bonds - Carter Terrace Multifamily Residential Rental Housing Development]**
Supervisor Maxwell

Resolution approving, for purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $17,000,000 for the Carter Terrace multifamily residential rental housing development.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021365 **[Urge Governor Davis to make SB 2065, State Law]**
Supervisors Maxwell, Leno, Sandoval

Resolution urging the State Legislature and Governor Davis to make SB 2065, California's low level radioactive waste reporting requirement, into state law.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021366 **[Supporting amendment of Anti-SLAPP law]**
Supervisor Gonzalez

Resolution urging the California Legislature to pass and the Governor to sign SB 1651, the amendment to change Section 426.16 of the Anti-SLAPP law to prevent rogue corporations from using this law to obstruct lawsuits filed by concerned citizens.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021367 **[Commend Federal ruling release of names detained]**
Supervisor Daly

Resolution commending the Federal ruling mandating the release of the names of individuals who have been detained as part of the investigation of the September 11 terrorist attacks.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021368 **[Issuance and Sale of Revenue Bonds - Folsom/Dore Multifamily Residential Rental Housing Development]**
Supervisor Daly

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $19,000,000 for the Folsom/Dore multifamily residential rental housing development.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021371 **[Commemorate ADA of 1990]**
Supervisors Leno, Maxwell, Sandoval

Resolution commemorating the 12th anniversary of the Americans with Disabilities Act of 1990.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021372 **[Accept and expend funds to implement the West Approach Retrofit Project]**
Supervisor Daly

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of the Department of Public Works to accept and expend federal and state grant funds up to $2,560,000 as reimbursement for providing design and construction engineering support to the California Department of Transportation (Caltrans) for its seismic retrofit projects in the City and County of San Francisco, including the I-80 Western approach Retrofit Project.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021373 **[Urge Governor Davis to enact AB 60]**
Supervisor Sandoval

Resolution urging Governor Davis to work with the California State Assembly to enact Assembly Bill 60 as soon as possible.
8/5/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

021374 **[COMPSTAT Model]**
Supervisor Newsom

Hearing to discern issues relating to the possible utilization of the COMPSTAT model by the San Francisco Police Department (SFPD).
8/5/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021375 **[Union Square]**
Supervisor Leno

Hearing to discuss the completion of Union Square which includes leases with cafe operators and ticket vendors, developing protocol for maintenance and security, and coordinating a concert and events schedule.
8/5/02, RECEIVED AND ASSIGNED to Finance Committee.

021376 **[MUNI Nextbus Contract]**
Supervisor Leno

Hearing with MUNI representatives to discuss the implementation of the Nextbus contract, the state of this contract, the schedule of installation, and how to expedite this process.
8/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021377 **[Cameras in Taxi Cabs]**
Supervisor Ammiano

Hearing on the Taxi Cab Commission mandated security cameras in taxi cabs.
8/5/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021378 [Delta Dental Plan for City Employees]
Supervisor Ammiano

Hearing on the Delta Dental Plan for City Employees.
8/5/02, RECEIVED AND ASSIGNED to Finance Committee.

021380 [Legislative Analyst]
Supervisor Ammiano

Hearing on the Board of Supervisors Office of Legislative Analyst.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Motions

021381 [Legislative Analyst Request]
Supervisor Leno

Motion asking the Legislative Analyst to research on the City of New York's plans for building code changes for high rise structures. The purpose of this research is to compare proposed changes in New York City with existing San Francisco codes to identify possible improvements to our city's building codes governing high rise structures as well as emergency response equipment and procedures.
8/5/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 12, 2002.

021382 [Ballot Argument - Water and Sewer]
Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021383 [Rebuttal Argument - Water and Sewer]
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021384 [Ballot Argument - Retirement Benefits for Police and Fire personnel]
Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021385 **[Rebuttal Argument - Retirement Benefits for Police and Fire personnel]**
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021386 **[Ballot Argument - Elections Department]**
Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition G, a Charter Amendment regarding assistance to the Elections Department.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021387 **[Rebuttal Argument - Elections Department]**
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a Charter Amendment regarding assistance to the Elections Department.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021388 **[Ballot Argument - Revenue Bond Election]**
Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition A, a Bond Measure regarding a Revenue Bond Election.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021389 **[Rebuttal Argument - Revenue Bond Election]**
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, Bond Measure regarding a Revenue Bond Election.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021390 **[Ballot Argument - Paid Parental Leave]**
Supervisor Daly

Motion authorizing proponent's ballot argument in favor of Proposition I, a Charter Amendment regarding paid parental leave.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021391 **[Rebuttal Argument - Paid Parental Leave]**
Supervisor Daly

Motion authorizing rebuttal to opponent's ballot argument against Proposition I, a Charter Amendment regarding paid parental leave.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021392 **[Ballot Argument - Supervisors Salaries]**
Supervisors Gonzalez, Leno

Motion authorizing proponent's ballot argument in favor of Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021393 **[Rebuttal Argument - Supervisors Salaries]**
Supervisors Gonzalez, Leno, Ammiano, Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021394 **[Ballot Argument - Energy Self-sufficiency]**
Supervisors Gonzalez, Daly, Maxwell

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding energy self-sufficiency.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021395 **[Rebuttal Argument - Energy Self-sufficiency]**
Supervisors Gonzalez, Daly, Maxwell

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter Amendment regarding energy self-sufficiency.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021326 **[Ballot Argument - Entertainment Commission]**
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Motion authorizing proponent's ballot argument in favor of Proposition F, a Charter Amendment regarding Entertainment Commission.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021327 **[Rebuttal Argument - Entertainment Commission]**
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a Charter Amendment regarding Entertainment Commission.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021328 **[Ballot Argument - Veterans Building Special Election]**
Supervisor Sandoval

Motion authorizing proponent's ballot argument in favor of Proposition C, Bond Measure regarding Veterans Building Special Election.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021329 **[Rebuttal Argument - Veterans Building Special Election]**
Supervisor Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Bond Measure regarding Veterans Building Special Election.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021330 **[Ballot Argument - Condominium Conversion Regulations]**
Supervisors Peskin, Daly

Motion authorizing ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021331 **[Rebuttal Argument - Condominium Conversion Regulations]**
Supervisor Peskin

Motion authorizing rebuttal ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.
8/5/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

PROPOSED RESOLUTIONS

021313 **[Branch Library General Obligation Bond Sale]**
Mayor

Resolution authorizing and directing the sale of not to exceed $23,135,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000), Series 2002B; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

(Fiscal impact.)
7/31/02, RECEIVED AND ASSIGNED to Finance Committee.

021314 **[Department of Consumer Assurance's schedule of fees for weighing and measuring devices]**
Resolution approving a schedule of fees to be charged by the Department of Consumer Assurance for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances or specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a), and ratifying any such fees charged by the Department prior to this resolution.
7/30/02, RECEIVED AND ASSIGNED to Finance Committee.

021315 **[Contracting out Janitorial Services]**
Resolution concurring with the Controller's Certification that janitorial services can be practically performed at the Asian Art Museum under private contract at a lesser cost than similar work performed by employees of the City and County. (Asian Arts Commission)
7/29/02, RECEIVED AND ASSIGNED to Finance Committee.

021316 **[Federal Grant - Municipal Transportation Agency]**
Resolution authorizing the Municipal Transportation Agency Board to accept and expend $50,000 of Federal Assistance for Emergency Preparedness Drills, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)
7/29/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021317 **[Accept - Expend Local Funds]**
Resolution authorizing the Municipal Transportation Agency to accept and expend $514,664 of Carl Moyer Program funds for Municipal Railway Transit Project. (Municipal Transportation Agency)

(Public Benefit Recipient.)
7/29/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021318 **[Special Assessment Liens for Assessment of Costs]**
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et. seq., and Sections 108 and 110 Tables 1-K, and 1-G of the SF Bldg. Code submitted by the Dir. of Building Inspection for Services Rendered by said Dept. of Costs thereof having accrued pursuant to the Code Violations referenced above. (Building Inspection Department)
7/30/02, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 19, 2002, at 3:00 p.m.

Requests Granted

From: Supervisor Maxwell
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To conduct a detailed engineering analysis on Oakdale Avenue between Lane Street and Griffith Street. This section of Oakdale Avenue is home to two childcare facilities, two after school programs, an elementary school, a recreation center and a playground. This area is currently a nightmare for pedestrians, especially children. Stop signs are not enough. Supervisor Maxwell requests the Department to complete a comprehensive study and provide her office with remedies which the department will implement to calm traffic in this area.
Due: October 4, 2002

From: Supervisor Newsom
To: General Manager, Muni
To: General Manager, BART
Requesting/Inquiring: That the General Managers of Muni and BART investigate and report whether Muni can locate funds, or use uncalled contracts, to perform an extensive implementation study on centralized dispatch for taxis, under the umbrella of the Paratransit Program. Also inquiring whether other agencies, such as BART could supply partial funding for this study.

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft appropriate legislation on how the City may establish noise control regulations for motorized scooters.

From: Supervisor Ammiano
To: Director, Department of Public Health (Mental Health & Community Substance Abuse Services)
To: Director, Department of Human Services
To: Director, Juvenile Probation
To: Sheriff
To: Chief, Police Department
To: Superintendent, Unified School District
To: Director, Department on the Status of Women
To: Public Defender (Juvenile Division)
To: Medical Examiner
Requesting/Inquiring: That the following (Department of Public Health (Mental Health & Community Substance Abuse Services), Department of Human Services, Juvenile Probation, Sheriff, Police Department, Unified School District, Department on the Status of Women, Public Defender (Juvenile Division) and Medical Examiner provide any statistics your department has from 1998 to 2002 regarding youth aged 14-18, broken down where possible in terms of gender, sexual orientation, and Supervisorial district, in accordance with all privacy laws that are applicable. If there is no data to a particular question, please state that clearly in your response. If you have other data that might pertain to this population, please add that to your response.
1. Any statistics that may identify youth aged 14-18 who have a history of (1) sexual abuse, (2) drugs and alcohol substance abuse, (3) being runaways, and (4) physical abuse.
2. The number of visits and hospitalizations for sexual or physical assault, STD's, abortions, and teenage pregnancy.
3. Describe the techniques your Department uses to collect data on youth, which are believed to be involved in prostitution?
4. What mandates do health care and other providers follow regarding collecting information from and about at-risk youth?
5. What signs do health care and other providers watch for, particularly at General Hospital, to gain information about at-risk youth?
6. How do health care and other providers refer youth to services if they are aware of abuse?
7. Do you track those who have been referred to services?

8. Do you refer out, if so to whom?
9. What are the names of the providers you contract with to provide services to this population?

In Memoriams

Mr. Sukhpal Singh (The Entire Board)
Mrs. Gloria Turner (Supervisor Yee)
Ms. Lori Barr (Supervisor Leno)
Dr. Laszlo Tauber (Supervisor Leno)
Ms. Desiree Galena (Supervisor Leno)
Mr. Edward Turner (Supervisor Yee)

ADJOURNMENT

There being no further business, the Board at the hour of 5:07 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 17, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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1/02

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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Monday, August 12, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 32

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Sandoval - 1.

Quorum present.

Supervisor Sandoval was noted present at 2:01p.m.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Gonzalez, moved to approve the minutes of the Board of Supervisors of June 10 and June 17, 2002. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Supervisor Leno requested File Nos. 021240, 021241, 021242, 021280 and 021243 be continued to August 26, 2002. (See infra.)

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Leno, moved. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Introduction of Guest

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to a representative from the Lincoln Golf Course celebrating their 100 Year Anniversary.

CONSENT AGENDA

Recommendations of the Health and Human Services Committee

021192 **[Study of at-risk and HIV positive youth in San Francisco]**
Supervisors Leno, Maxwell, Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $20,160 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2002, to February 28, 2003. (Public Health Department)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 551-02
ADOPTED

021231 **[Recurring FY2002-2003 State grant funds to DPH from the California Department of Health Services]**
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2002-2003. (Public Health Department)

Resolution No. 553-02
ADOPTED

021232 **[Study of HIV prevention in beerhalls in Harare, Zimbabwe]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $36,991 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a randomized trial of HIV prevention in beerhalls in Harare, Zimbabwe, for the period of May 1, 2002, to April 30, 2003. (Public Health Department)

Resolution No. 554-02
ADOPTED

021233 **[Support and enhance podiatry, nutrition, and diabetic nurse educator services at the Potrero Hill Health Center]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $75,000 from the Franklin Benevolent Corporation (FBC) to expand on-site direct patient care services for vulnerable and high-risk patients at the Potrero Hill Health Center and to enter into an agreement for the use of these funds; for the period of July 1, 2002 through June 30, 2003. (Public Health Department)

Resolution No. 555-02
ADOPTED

Recommendations of the Rules and Audits Committee

020988 [Settlement of Lawsuit]

Ordinance authorizing settlement of the matter of Cheryl C. Jessee v. City and County of San Francisco for $45,000 to Cheryl C. Jessee and $61,500 to her attorney of record, Mayo & Rogers. The lawsuit was filed on May 25, 2001, in San Francisco Superior Court, Case No. 321-661; entitled Cheryl C. Jessee v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021045 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Yun Fong Kwan, et al., against the City and County of San Francisco for $90,000; the lawsuit was filed on March 22, 1999 in Superior Court, Case No. 302-154; entitled Kwan, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021125 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuits filed by one hundred and one individual plaintiffs, in two separate lawsuits known as Rooker, et al. and Weaver, et al. against the City and County of San Francisco, for $862,581.63 in back overtime wages, $137,951.82 in interest payments and $378,043.46 in attorneys' fees and costs; the Rooker lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095 VRW, entitled Rooker, et al. v. City and County of San Francisco; the Weaver lawsuit was filed on June 27, 2000 in the United States District Court, Case No. C00-2271 VRW, entitled Weaver, et al. v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021262 [Appointment of Michael G. Kasolas to MTA]

Mayor

Resolution confirming the appointment of Michael G. Kasolas to the Board of Directors of the Metropolitan Transportation Agency, term ending March 1, 2003. (Mayor)

Resolution No. 556-02

ADOPTED

021099 [Susan Po-Rufino Reappointment to Treasure Island Development Authority]

Mayor

Resolution confirming the reappointment of Ms. Susan Po-Rufino to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)

Resolution No. 547-02

ADOPTED

021158 **[Reappointment to Telecommunications Commission]**
Mayor

Resolution approving the Mayor's reappointment of Major General James M. Myatt to the Telecommunications Commission, for the term ending July 1, 2005. (Mayor)

Resolution No. 549-02
ADOPTED

021350 **[Appointment - Telecommunications Commission]**
Mayor, Supervisor Daly

Resolution approving the Mayor's appointment of Sunil V. Daluvoy to the Telecommunications Commission, for the term ending July 1, 2003. (Mayor)

Supervisor Daly requested to be added as co-sponsor.

Resolution No. 557-02
ADOPTED

020833 **[Appointment]**

Resolution appointing Vera Haile, Tamara Ribas, Houston Zheng, terms ending June 6, 2004; and Hugh Wang, term ending June 6, 2003 to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Tamara Ribas, succeeding Richard Ow, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;
Hugh Wang, succeeding Vram Kouramajian, resigned, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for the unexpired portion of a two year term ending June 6, 2003;
Houston Zheng, succeeding himself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco for a two year term ending June 6, 2004;

Resolution No. 545-02
ADOPTED

021039 **[Settlement of Claim]**

Resolution approving the settlement of the unlitigated claim filed by Alyce M. Satten against San Francisco for $40,000; claim was filed on June 4, 2001. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 546-02
ADOPTED

021124 [Settlement of Claim]

Resolution approving the settlement of the unlitigated claim filed by Arnulfo O. Felin against San Francisco for $27,619.65; claim was filed on April 16, 2001; additional material terms of said settlement are none. (City Attorney)

(Public Benefit Recipient.)

Resolution No. 548-02

ADOPTED

Recommendation of the Transportation and Commerce Committee

021069 **[Designating the Drexler/Colombo Building at 1-21 Columbus Avenue and 612-624 Washington Street as a Landmark]**

Supervisors Peskin, Daly, Leno, Newsom, Hall

Ordinance designating 1-21 Columbus Avenue and 612-624 Washington Street, the Drexler/Colombo Building, Lot 4 in Block 195, as Landmark No. 237 and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Ordinance No. 177-02

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

011178 **[Motor Vehicle for Hire Permit Filing Fees and License Fees]**

Ordinance amending Sections 2.26.1 and 2.27.1 of the Police Code to amend schedules for motor vehicle for hire permit filing fees and license fees. (Taxi Commission)

Ordinance No. 176-02

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

From Finance Committee Without Recommendation

021141 [Agreement for Stadium Advertising]
Supervisor Maxwell

Ordinance approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for the sale of stadium advertising and for the performance of certain capital repairs at the stadium located at Candlestick Point.

Ordinance No. 178-02
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

NEW BUSINESS

Recommendations of the Finance Committee

021067 [Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection]
Supervisors Peskin, Newsom, Daly, Sandoval, Leno

Ordinance amending Public Works Code Sections 724 through 724.9 concerning street space occupancy permits to modify the fee collection structure, provide for fee refunds, assess right-of-way occupancy costs, establish minimum notice requirements, and impose other related procedures; amending Traffic Code Section 33.1A to replace existing provisions concerning special parking restrictions with a requirement that the Department of Parking and Traffic and Department of Public Works coordinate jurisdictional activities over street space occupancy permits.

Supervisor Sandoval requested to be added as a co-sponsor.
PASSED, ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

021184 [Airport Concession Lease]
Resolution approving the North Terminal Candy Store Lease between See's Candies, Inc. and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

Resolution No. 550-02
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021230 [Airport Concession Support Program Lease]

Resolution approving, retroactive to September 11, 2001, the Airport Concession Support Program between Action Cellular-Cellular Phone Rental Service Lease; Andale SFO - New International Terminal Food and Beverage Lease; Bank of America - Domestic Banking Services Lease; Bayport Concessions LLC dba Willow Street Woodfired Pizza - New International Terminal Food and Beverage Lease; Books, Inc. - North Terminal Bookstore Lease; Buth-Na-Bodhaige, Inc. dba The Body Shop - Boarding Area "F" Cosmetic and Toiletries Lease; CalStar Retail, Inc. - Boarding Area "F" Newsstand Lease and North Terminal Candy Cart/Kiosk Lease; Clear Channel Airports - Airport Advertising Program Lease and SFO Cyber Room Technology Showcase Lease; D. Mitchell Concessions dba Harry Denton's - New International Terminal Food and Beverage Lease; D-Lew Enterprises dba Il Fornaio - New International Terminal Food and Beverage Lease; Deli-Up Enterprises, LLC - New International Terminal Food and Beverage Lease; Discovery Channel Stores - New International Terminal Nature Theme Store Lease; Ebisu, Inc. - New International Terminal Food and Beverage Lease; Emporio Rulli - New International Terminal Food and Beverage Lease; Fung Lum Express, LLC - New International Terminal Food and Beverage Lease; Gotham Foods Two, LLC dba Firewood Café - New International Terminal Food and Beverage Lease; Harbor Airport, LLC dba Harbor Village - New International Terminal Food and Beverage Lease; Host International, Inc. - North Terminal Concession Opportunity Lease, Boarding Areas "B" and "C" Bookstores Lease, New International Terminal Aviation Store Lease, and North Terminal Hub Principal Retail Concession Lease; Lori's Diner International - New International Terminal Food and Beverage Lease; Nidal Nazzal dba Burger Joint - New International Terminal Food and Beverage Lease; North Terminal Shines - Shoeshine Service Lease; OSI-MB-Boarding Area "F" Executive Writing Instruments Lease; Pacific Gateway Concessions, LLC - Boarding Areas "B" and "C" Principal Retail Concession Lease; Pacific Golf Partners, LLC - New International Terminal Golf Shop Lease; Polk-Townsend and Associates dba Café Metro - New International Terminal Food and Beverage Lease; Rosedale-Wilsons dba Wilsons Leather - North Terminal Concourse Fine Leather Goods Lease; San Francisco Museum of Modern Art - New International Terminal Museum Store Lease; See's Candies, Inc. - North Terminal Candy Store Lease (upon execution of the Lease); SFO Hairport - New International Terminal Hair Salon Lease; Smarte Carte - Public Lockers and Over-the-Counter Baggage Lease; Tomokazu Japanese Cuisine (SFO), Inc. - New International Terminal Food and Beverage Lease; Travelex America, Inc. - ATM Lease A in the New International Terminal, ATM Lease B in the New International Terminal, and Foreign Currency Lease; U-Threads - Boarding Area "F" Collegiate Apparel Lease; WH Smith Hotel Services - New International Terminal Bookstore/Café Lease; and Yoko, Inc. dba Osho Japanese Cuisine - New International Terminal Food and Beverage Lease and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

Supervisor Peskin, seconded by Supervisor Maxwell, moved to amend on page 6 line 8 by adding after the word "date." the following "In the event the tenant exercises such option, then the lease rent payable by the tenant during the option term shall be adjusted to equal market rent, as determined by the Airport Director. In no event will the rent payable in the option term be less than the rent payable by the tenant in the last year of the base term of the lease. Following such determination, if the tenant is unwilling to pay such market rent, the tenant shall be entitled to withdraw its exercise of the option" and further amended by adding "Duty Free Shop" in the title.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Resolution approving, retroactive to September 11, 2001, the Airport Concession Support Program between Action Cellular-Cellular Phone Rental Service Lease; Andale SFO - New International Terminal Food and Beverage Lease; Bank of America - Domestic Banking Services Lease; Bayport Concessions LLC dba Willow Street Woodfired Pizza - New International Terminal Food and Beverage Lease; Books, Inc. - North Terminal Bookstore Lease; Buth-Na-Bodhaige, Inc. dba The Body Shop - Boarding Area "F" Cosmetic and Toiletries Lease; CalStar Retail, Inc. - Boarding Area "F" Newsstand Lease and North Terminal Candy Cart/Kiosk Lease; Clear Channel Airports - Airport Advertising Program Lease and SFO Cyber Room Technology Showcase Lease; D. Mitchell Concessions dba Harry Denton's - New International Terminal Food and Beverage Lease; D-Lew Enterprises dba Il Fornaio - New International Terminal Food and Beverage Lease; Deli-Up Enterprises, LLC - New International Terminal Food and Beverage Lease; Discovery Channel Stores - New International Terminal Nature Theme Store Lease; Ebisu, Inc. - New International Terminal Food and Beverage Lease; Emporio Rulli - New International Terminal Food and Beverage Lease; Fung Lum Express, LLC - New International Terminal Food and Beverage Lease; Gotham Foods Two, LLC dba Firewood Café - New International Terminal Food and Beverage Lease; Harbor Airport, LLC dba Harbor Village - New International Terminal Food and Beverage Lease; Host International, Inc. - North Terminal Concession Opportunity Lease, Boarding Areas "B" and "C" Bookstores Lease, New International Terminal Aviation Store Lease, and North Terminal Hub Principal Retail Concession Lease; Lori's Diner International - New International Terminal Food and Beverage Lease; Nidal Nazzal dba Burger Joint - New International Terminal Food and Beverage Lease; North Terminal Shines - Shoeshine Service Lease; OSI-MB-Boarding Area "F" Executive Writing Instruments Lease; Pacific Gateway Concessions, LLC - Boarding Areas "B" and "C" Principal Retail Concession Lease; Pacific Golf Partners, LLC - New International Terminal Golf Shop Lease; Polk-Townsend and Associates dba Café Metro - New International Terminal Food and Beverage Lease; Rosedale-Wilsons dba Wilsons Leather - North Terminal Concourse Fine Leather Goods Lease; San Francisco Museum of Modern Art - New International Terminal Museum Store Lease; See's Candies, Inc. - North Terminal Candy Store Lease (upon execution of the Lease); SFO Hairport - New International Terminal Hair Salon Lease; Smarte Carte - Public Lockers and Over-the-Counter Baggage Lease; Tomokazu Japanese Cuisine (SFO), Inc. - New International Terminal Food and Beverage Lease; Travelex America, Inc. - ATM Lease A in the New International Terminal, ATM Lease B in the New International Terminal, and Foreign Currency Lease; U-Threads - Boarding Area "F" Collegiate Apparel Lease; WH Smith Hotel Services - New International Terminal Bookstore/Café Lease; and Yoko, Inc. dba Osho Japanese Cuisine - New International Terminal Food and Beverage Lease; Duty Free Shop - New International Terminal Duty Free Shop Lease and the City and County of San Francisco, Acting by and through its Airport Commission. (Airport Commission)

Resolution No. 552-02

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Resolution be **ADOPTED AS AMENDED**. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendations of Rules and Audits Committee

020968 **[Bicycle Advisory Committee]**
Supervisors Gonzalez, Daly

Ordinance (1) amending Sections 5.130 and 5.131 of the San Francisco Administrative Code to (i) provide that each member of the Board of Supervisors shall nominate one person for appointment to the Bicycle Advisory Committee by the Board of Supervisors, (ii) require that the Bicycle Advisory Committee inform the Board of Supervisors of the committee's diversity with respect to age, ethnicity, gender, disability and sexual orientation; (iii) change the term of members of the Bicycle Advisory Committee from three years to two years, or the remaining tenure of the nominating supervisor, whichever is shorter in duration, and (iv) provide for the removal of members of the Bicycle Advisory Committee; and (2) removing all current members of the Bicycle Advisory Committee and requiring new appointments thereto in accordance with Section 5.130 of the San Francisco Administrative Code, as amended by this ordinance.

Supervisor Daly requested to be as added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

020747 **[Employee Claim Reimbursement]**

Resolution authorizing reimbursement in the amount of $1,321.86 to Jane Ma for the cost of personal property of a City and County employee damaged or stolen in the line of duty. (Public Health Department)

Resolution No. 544-02

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recess

The Board, at the hour of 2:53 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:00 p.m., reconvened.

SPECIAL ORDER 3:00 P.M.

021240 **[Public Hearing - Appeal, Conditional Use, 1598 Dolores Street (Reilly's Funeral Home)]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16445 dated June 20, 2002, approving Conditional Use Application No. 2000.1058C to develop two (2) residential buildings with a total of 13 dwelling units (two of which are affordable) and up to 26 off-street parking spaces, to develop a lot 5,000 square feet or more in size, within an NC-1 (Neighborhood Commercial Cluster) District, and a 40-X Height and Bulk District on property located at 1598 Dolores Street (Reilly's Funeral Home), northwest corner of Dolores and 29th Streets; Lots 7, 9, and 38, in Assessor's Block 6618.

(Appeal filed July 17, 2002; categorically exempt from the environmental review process in accordance with the State Guidelines for the implementation of CEQA and Chapter 3.1 of the San Francisco Administrative Code; Case No. 2000.1058C; companion measure to 021240, 021241, 021242, 021243, 021280; District 8.)

Supervisor Leno requested that this item be continued to August 26, 2002.

Supervisor Leno, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

021241 **[Appeal, Conditional Use, 1598 Dolores Street]**

Motion approving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor McGoldrick requested this item be continued due to the fact that appellant was unable to attend the meeting.
Jim Rubin, Attorney for the sponsor expressed his concern in granting a continuance.
Supervisor Leno asked the Deputy City Attorney, if the sponsors who were present, could give public comment and then continue the item to August 26, 2002.
Deputy City Attorney, Ted Lakey informed the Board that both sides should be present in order to allow for a rebuttal period.
Continued to August 26, 2002.

Supervisor Leno, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

021242 **[Appeal, Conditional Use, 1598 Dolores Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

Continued to August 26, 2002.

Supervisor Leno, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

021280 **[Environmental Review - 1598 Dolores Street]**

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to August 26, 2002.

Supervisor Leno, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

021243 **[Findings - 1598 Dolores Street Appeal]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1058C, on property located 1598 Dolores Street, for action by the Board at its next meeting.

Continued to August 26, 2002.

Supervisor Leno, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

SPECIAL ORDER 3:00 P.M.

021248 **[Public Hearing - Appeal, Final Environmental Impact Report for the Laguna Honda Hospital Replacement Project]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Environmental Impact Report, Planning File No. 2000.005E, for the Laguna Honda Hospital Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue.

(Appeal filed July 16, 2002; companion measure to 021249, 021250, 021251.)

Appellants: Barbara Goode; Tina McGovern; Male Speaker, Yvonne Howard; Suzanne McAwee; John Zella; Ann Poirier;Timothy Poirier

Respondents: Gerald Green, Director, Planning Department; Paul Maltzer, Planning Department, Dr. Edward Chow, President of Health Commission, Anne Kronnenberg, Acting Director, Department of Public Health; Ron Smith; Bob Weil; Evelyn Anstin; Patrick Devlin; Dr. Terry Hill; Laura Blue; Robert Christmas; Gilbert DeLa Mina; Evernease McKnight; Salvage; Alex Bounth; Julie Granger; Linda S. Mitteness, Ph.D; Donna J. Caravelli; Joan Braconi; Berline Wong; Ellen Paul; John Paul;Roger Ridgway

A rebuttal period was allowed.

The President then declared the Public hearing on this item closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Rebuttal

021249 **[Affirm certification of Laguna Honda Hospital Replacement FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Laguna Honda Hospital Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue. (Clerk of the Board)

Motion No. M02-124

Supervisor Hall, seconded by Supervisor Newsom, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

021250 **[Disapprove certification of Laguna Honda Hospital Replacement FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Laguna Honda Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue. (Clerk of the Board)

Supervisor Hall, seconded by Supervisor Newsom, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

021251 **[Preparation of findings to disapprove certification of Laguna Honda Hospital Replacement FEIR]**
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the Laguna Honda Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue. (Clerk of the Board)

Supervisor Hall, seconded by Supervisor Newsom, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

SPECIAL ORDER 3:00 P.M

021281 [Public Hearing]
Hearing of persons interested in or objecting to proposed ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2002-2003 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code). (Clerk of the Board)

HEARD AT PUBLIC HEARING.

021259 **[Sewer Service Charges, Fiscal Year 2002-2003]**
Mayor

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2002-2003 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code). (Mayor)

Supervisor Hall, seconded by Supervisor Leno, moved that this Ordinance be PASSED ON FIRST READING. The motion carried by the following vote:

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

Recess

The Board, at the hour of 2:35 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 2:45 p.m., reconvened.

PUBLIC COMMENT

Jack Dodson, various issues
Tenant at SF International Airport; Airport leases
Female Speaker; homelessness
Joe O'Donoghue; conditional use appeal

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

021381 **[Legislative Analyst Request]**
Supervisor Leno

Motion asking the Legislative Analyst to research on the City of New York's plans for building code changes for high rise structures. The purpose of this research is to compare proposed changes in New York City with existing San Francisco codes to identify possible improvements to our city's building codes governing high rise structures as well as emergency response equipment and procedures.

Supervisor Daly, seconded by Supervisor Leno, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

021361 **[Urge GGNRA make available information on ANPR process]**
Supervisor Yee

Resolution urging the National Park Service, GGNRA, to make available to those requesting information on the ANPR process, documents showing the design, methodology, and protocols for analyzing Public Comment, the telephone survey, and any other Technical Information that will be supplied to the Federal panel for the ANPR process regarding Pet Management in the GGNRA.

Resolution No. 558-02
ADOPTED

021362 **[Accept and expend funds for "Nature by Design" Trade Show]**
Supervisor Yee

Resolution accepting the raising of funds and receipt of door prizes for expenditure for and at the "Nature by Design" Trade Show, through the Mayor's Office of Economic Development.

Resolution No. 559-02
ADOPTED

021363 **[Commend Nagi Daifullah]**
Supervisors Yee, Sandoval

Resolution commending the courage and legacy of farm worker Nagi Daifullah.

Supervisor Sandoval requested to be added as a co-sponsor.
Resolution No. 560-02
ADOPTED

021364 **[Issuance and Sale of Revenue Bonds - Carter Terrace Multifamily Residential Rental Housing Development]**
Supervisor Maxwell

Resolution approving, for purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $17,000,000 for the Carter Terrace multifamily residential rental housing development.

Resolution No. 542-02
ADOPTED

021365 **[Urge Governor Davis to make SB 2065, State Law]**
Supervisors Maxwell, Leno, Sandoval

Resolution urging the State Legislature and Governor Davis to make SB 2065, California's low level radioactive waste reporting requirement, into state law.

Supervisor Sandoval requested to be added as a co-sponsor.
Resolution No. 561-02
ADOPTED

021366 **[Supporting amendment of Anti-SLAPP law]**
Supervisor Gonzalez

Resolution urging the California Legislature to pass and the Governor to sign SB 1651, the amendment to change Section 426.16 of the Anti-SLAPP law to prevent rogue corporations from using this law to obstruct lawsuits filed by concerned citizens.

Resolution No. 562-02
ADOPTED

021367 **[Commend Federal ruling release of names detained]**
Supervisor Daly

Resolution commending the Federal ruling mandating the release of the names of individuals who have been detained as part of the investigation of the September 11 terrorist attacks.

Resolution No. 563-02
ADOPTED

021371 **[Commemorate ADA of 1990]**
Supervisors Leno, Maxwell, Sandoval

Resolution commemorating the 12th anniversary of the Americans with Disabilities Act of 1990.

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 564-02
ADOPTED

021372 **[Accept and expend funds to implement the West Approach Retrofit Project]**
Supervisor Daly

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of the Department of Public Works to accept and expend federal and state grant funds up to $2,560,000 as reimbursement for providing design and construction engineering support to the California Department of Transportation (Caltrans) for its seismic retrofit projects in the City and County of San Francisco, including the I-80 Western approach Retrofit Project.

Resolution No. 565-02
ADOPTED

021373 **[Urge Governor Davis to enact AB 60]**
Supervisor Sandoval

Resolution urging Governor Davis to work with the California State Assembly to enact Assembly Bill 60 as soon as possible.

Resolution No. 566-02
ADOPTED

021325 **[Final Map for a 30 Unit Live/Work Condominium Project]**
Motion approving Final Map of 1310 Minnesota Street, a Live/Work Condominium Project, being a subdivision of Lot 79, Assessor's Block No. 4228, and adopting finding pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,664 ; District 10.)

Motion No. M02-125
APPROVED

021399 **[Final Map for a 48 Unit Live/Work Condominium Project]**
Motion approving Final Map of 1325 Indiana Street, a Live/Work Condominium Project, being a subdivision of Lot 78, Assessor's Block No. 4228, and adopting finding pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,665 ; District 10.)

Motion No. M02-126
APPROVED

021400 **[Final Map for a 134 Unit Residential Condominium Project]**
Motion approving Final Map of Fulton Masonic (1750 Fulton Street), a Residential Condominium Project, being a subdivision of Lot 10 in Assessor's Block No. 1175, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,652 ; District 5.)

Motion No. M02-127
APPROVED

021401 **[Final Map for a 7 Unit Mixed Use Condominium Project]**
Motion approving Final Map of 181 South Park, a Mixed Use Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 3775, and adopting findings pursuant to City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 173,666; District 6.)

Motion No. M02-128
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed From For Adoption Without Committee Reference Agenda

021368 **[Issuance and Sale of Revenue Bonds - Folsom/Dore Multifamily Residential Rental Housing Development]**
Supervisor Daly

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $19,000,000 for the Folsom/Dore multifamily residential rental housing development.

Supervisor Daly requested this matter be severed so it could be considered separately.

Supervisor Daly requested that this item be referred to Committee.
REFERRED to the Finance Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leno, seconded by Supervisor McGoldrick, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leno, seconded by Supervisor McGoldrick, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021415 **[Commend President Hugo Chavez]**

Supervisor Daly

Resolution commending the administration of President Hugo Chavez for its commitment to democracy.

Resolution No. 567-02

Supervisor Leno, seconded by Supervisor McGoldrick, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021417 [Eliminating the Mayor's Office Cash Revolving Fund]

Mayor

Ordinance amending the San Francisco Administrative Code by repealing Section 10.148, to eliminate the Mayor's Office cash revolving fund. (Mayor)

8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

021418 **[Planning Commission - Alternative Review Process]**
Supervisor Peskin

Emergency ordinance amending the San Francisco Planning Code by amending Section 306, and amending the San Francisco Administrative Code by amending Sections 2A.53 and 31.04, to provide for an alternative process to Planning Commission approval where the Planning Commission is unable to meet because a majority of its members has not been appointed; adopting declaration of emergency under Charter Section 2.107; and setting forth period of time within which this emergency ordinance shall be operative.

8/12/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021419 **[MOU - San Francisco Police Officers' Association]**
Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2001-2003 Collective Bargaining Agreement between the San Francisco Police Officers' Association (SFPOA) and the City and County of San Francisco by amending Sections 13 (A) and (F) to incorporate the parties' agreement to clarify their intent with regard to compensation for canine officers and to correct clerical errors. (Mayor)

8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

021416 **[Grant Federal Funds]**
Mayor

Resolution authorizing the Municipal Transportation Agency Board to accept and expend $15,925,000 of Federal Formula Section 5307 Capital Assistance for San Francisco capital project Motor Coach Replacement, excluding Administrative Overhead Costs. (Mayor)

(Supervisor Daly dissenting in Committee)

8/12/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee. Sponsor requests this item be scheduled for consideration at the August 22, 2002 meeting.

8/13/02, TRANSFERRED to Finance Committee.

021420 **[Commend Maitri]**
Supervisors Leno, Ammiano, McGoldrick, Maxwell, Newsom, Daly

Resolution commending Maitri for fifteen years of service to the San Francisco AIDS community.

8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021421 **[Accept-Expend Robert Wood Johnson Foundation Grant]**
Supervisor Newsom

Resolution authorizing the Department of Aging and Adult Services to accept and expend a grant in the amount of $150,000 from the Robert Wood Johnson Foundation for a strategic planning process to develop an integrated model of service delivery for older and disabled adults.

8/12/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021423 [Lease of Real Property]
Mayor

Resolution authorizing a new lease of real property at 2525-16th Street on behalf of the Department of Elections. (Mayor)

(Public Benefit Recipient; District 6.)
8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

021424 **[Mr. Asher Harer Day]**
Supervisor Ammiano

Resolution in recognition of Mr. Asher Harer for his dedicated service and leadership to the City and County of San Francisco and declaring August 14, 2002 Asher Harer Day in the City and County of San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021425 **[Accept and Expend State Grant, Recreation and Park Department - $50,000]**
Supervisors Gonzalez, Peskin

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the amount of $50,000 from the California Integrated Waste Management Board (CIWMB) for the installation of recycled-content materials and equipment in Alamo Square.

(No Public Benefit Recipient.)
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021426 **[Mercy High School Day]**
Supervisors Hall, Newsom

Resolution proclaiming October 5, 2002 as "Mercy High School Day" in the City and County of San Francisco in honor of the school's 50th anniversary of service to young women in San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021427 **[National Alcohol and Drug Addiction Recovery Month]**
Supervisor Newsom

Resolution declaring September 2002 as "National Alcohol and Drug Addiction Recovery Month" in the City and County of San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021428 **[Declaring Women's Equality Day]**
Supervisors Leno, Maxwell, McGoldrick, Newsom, Daly

Resolution declaring August 26, 2002 Women's Equality Day in San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021429 **[Sojourner Truth Foster Family Service Agency Day]**
Supervisors Leno, Maxwell, Newsom

Resolution declaring Saturday, August 31, 2002 Sojourner Truth Foster Family Service Agency Day.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021430 **[Car Free Day]**
Supervisors Maxwell, Peskin, Ammiano, Daly, Leno, Newsom

Resolution to proclaim Friday, September 27, 2002 as Car Free Day in San Francisco.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021431 **[Urge passage of Federal Prescription Drug Plan]**
Supervisors Sandoval, Daly

Resolution urging the United States Congress to address the crisis of the rapidly rising costs for prescription drugs.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021432 **[Commend Centro Latino]**
Supervisors Daly, Leno

Resolution commending Centro Latino for its service to the low-income elderly and immigrant community and on the occasion of its 30th Anniversary.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021433 **[Commend Market Street Railway]**
Supervisors Daly, Newsom, Peskin

Resolution commending the Market Street Railway non-profit for its invaluable aid and assistance to the MUNI F-line in the acquisition, restoration and maintenance of the historic street car fleet and for its promotion of public transportation.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021434 **[Commend Filipino-American Democratic Empowerment Council]**
Supervisors Leno, Newsom, Daly

Resolution commending the Filipino-American Democratic Empowerment Council for their sponsorship of the First Filipino-American Democrats of America Conference and their efforts to bring political power to Filipino Americans nationwide.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021435 **[Commend Visitacion Valley Elementary School and Visitacion Valley Middle School]**
Supervisors Maxwell, Newsom

Resolution commending Visitacion Valley Elementary School and Visitacion Valley Middle School for exceeding their growth targets of the Governor's Academic Performance Index (API) in all areas.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021445 **[Study of Hetch Hetchy Restoration]**
Supervisors Peskin, Ammiano, Daly

Resolution authorizing San Francisco to participate in a public and independent study of the feasibility of restoring the Hetch Hetchy Valley in Yosemite National Park while meeting the objectives of the Public Utilities Commission's Capital Improvement Plan, including the needs to repair aging infrastructure, reduce exposure to natural threats, accommodate changing regulations and meet future demand.
8/12/02, RECEIVED AND ASSIGNED to Finance Committee. Sponsors request this item be scheduled for consideration at the August 21, 2002, meeting.

Requests for Hearing

021436 **[Collection of Impact Fees]**
Supervisor Maxwell

Hearing regarding the City's collection of developer impact fees. Request presentations by the City departments integral to the assessment, collection, and use of the fees, including Planning, Building Inspection, Treasurer, and Mayor's Office of Housing, to ensure that there is full collection.
8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

021437 **[City Service of Municipal Energy Load]**
Supervisor Maxwell

Hearing on the PG&E challenges to the City's ability to serve as "municipal load" tenants on City property.
8/12/02, RECEIVED AND ASSIGNED to Finance Committee.

021438 **[Stern Grove/Pine Lake Renovation Plans]**
Supervisor Yee

Hearing regarding the renovation plans for Stern Grove and Pine Lake.
8/12/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

Motions

021414 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, McGoldrick, Maxwell, Peskin

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021439 **[Committee of the Whole - 601 King Street]**
Supervisor Daly

Motion scheduling a Committee of the Whole to consider legislation regarding 601 King Street, to be held on August 19, 2002 at 3:00 PM.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021440 **[Urge California Legislature to pass AB 58]**
Supervisors Leno, Daly

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign AB 58 which extends electricity net metering for customer-based solar and wind power generation systems over ten kilowatts in size.
8/12/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021441 **[Legislative Analyst Request]**
Supervisor Leno

Motion asking the Legislative Analyst research the City of Los Angeles's DISARM Program and our Adult Juvenile probation measures to determine if DISARM could be an effective model for San Francisco to ensure that individuals under probation are not allowed to possess firearms.
8/12/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 19, 2002.

PROPOSED ORDINANCES

021323 **[Settlement of Lawsuit]**
Ordinance authorizing settlement of the lawsuit filed by Lee Reese against the City and County of San Francisco for $72,500.00; the lawsuit was filed on February 23, 2000 in Superior Court, Case No. 310-163; entitled Lee Reese v. California Bethel AME-Church, Inc., City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
8/7/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021404 **[Setting San Francisco's fiscal year 2002-2003 property tax rate and establishing pass-through rate for residential tenants]**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2003. (Controller)

8/7/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 21, 2002 meeting.

021405 **[Setting San Francisco Community College District's fiscal year 2002-2003 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2003. (Controller)

8/7/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 21, 2002 meeting.

021406 **[Setting San Francisco's Unified School District's fiscal year 2002-2003 property tax rate to be included in the City's overall property tax rate]**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2003. (Controller)

8/7/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 21, 2002 meeting.

021407 **[Rescind funding for the Art Commission for municipal symphony concerts using property tax revenue]**

Ordinance rescinding $31,964 in appropriation authority for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2002-03. (Controller)

8/7/02, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the August 21, 2002 meeting.

PROPOSED RESOLUTIONS

021322 **[Five year strategic plan to reduce intimate partner violence in the community]**

Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $40,000 from the California Department of Health Services (CDHS) to develop a 5 year strategic plan to reduce intimate partner violence in the community and to enter into an agreement for the use of these funds; for the period of July 1, 2002 through September 30, 2003. (Public Health Department)

8/1/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021324 **[Airport Concession Lease]**

Resolution approving the Domestic Terminals Automated Teller Machine Lease A between Wells Fargo Bank, N.A. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Public Benefit Recipient.)

8/7/02, RECEIVED AND ASSIGNED to Finance Committee.

021403 **[Airport Information Booth Contract, Fiscal Year 2002-2003]**
Resolution approving the Controller's Certification that Airport Information Booth Services at San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by City employees at currently budgeted levels. (Airport Commission)

(Public Benefit Recipient.)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee.

021408 **[Establishment and Administration of Mission/Otis Vehicle Pool]**
Resolution authorizing the Director of the Department of Administrative Services to establish the Mission/Otis Vehicle Pool, located in the Mission Street and Otis Street area of San Francisco, which shall serve the following five San Francisco departments: 1) the Department of Aging and Adult Services, 2) the Department of Building Inspection, 3) the Department of Human Resources, 4) the Department of Public Works' Bureau of Construction Management and Bureau of Engineering, and 5) the Planning Department; and authorizing the Mission/Otis Vehicle Pool to be administered by the Department of Human Services. (Administrative Services Department)
8/7/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021410 **[Accept and Expend Federal Grant]**
Resolution authorizing the Airport Commission to accept and expend a funding increase from $1,202,500 to $1,695,500 from the Federal Aviation Administration ("FAA") for the SFPD-AIRPORT Bureau K-9 Explosive Detection Team. (Airport Commission)

(Public Benefit Recipient.)
8/7/02, RECEIVED AND ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Yee
To: City Attorney
Requesting/Inquiring: To draft appropriate legislation on how the City and County of San Francisco can remove adult news racks and ban future news racks from residential areas and mandate that adult news racks be at least 1000 feet away from schools and playgrounds.

From: Supervisor Daly
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the Director to comment on sidewalk parking in the Marina. (See attached.)

From: Supervisor Daly
To: General Manager, Public Utilities Commission
Requesting/Inquiring: Requesting the General Manager to comment on the Waiver of Contracting Rules. (See attached.)

In Memoriams

Gerald Gunther (Supervisor Gonzalez)
Robert Barnes (The Entire Board)
Ming Chun (Supervisor Yee)
Phil Smith (Supervisor McGoldrick)

ADJOURNMENT

There being no further business, the Board at the hour of 4:55 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 23, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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Monday, August 19, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 33

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors McGoldrick and Newsom - 2

Quorum present.

Supervisor McGoldrick was noted present at 2:05 p.m.
Supervisor Newsom was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Sandoval, moved to approve the minutes of the Board of Supervisors of June 24, 2002. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 2 - McGoldrick, Newsom

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Clerk of the Board informed the Board that File Nos. 021439 would need to be considered prior to File Nos. 021442.

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

From Rules and Audits Committee

021382 [Ballot Argument - Water and Sewer]
Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.

President Ammiano, seconded by Supervisor Leno, moved an amendment of the whole bearing same title; Supervisor moved to further amend on page 1 paragraph 4 line 2 after "Enterprise" by inserting "is facing a serious".

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisors Gonzalez, Hall, Yee and Newsom requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-132

APPROVED AS AMENDED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

021384 [Ballot Argument - Retirement Benefits for Police and Fire personnel]
Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.

Supervisor Leno, seconded by Supervisor Maxwell, moved an amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Gonzalez requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-133

APPROVED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021386 [Ballot Argument - Elections Department]
Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition G, a Charter Amendment regarding assistance to the Elections Department.

Motion No. M02-134

APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021388 **[Ballot Argument - Revenue Bond Election]**
Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition A, a Bond Measure regarding a Revenue Bond Election.

Supervisors Gonzalez, Hall, Newsom, Sandoval, and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-135

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

021326 **[Ballot Argument - Entertainment Commission]**
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Motion authorizing proponent's ballot argument in favor of Proposition F, a Charter Amendment regarding Entertainment Commission.

Supervisors Hall, Maxwell, and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-129

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Hall, Maxwell, Yee

021390 **[Ballot Argument - Paid Parental Leave]**
Supervisor Daly

Motion authorizing proponent's ballot argument in favor of Proposition I, a Charter Amendment regarding paid parental leave.

Supervisor Daly, seconded by Supervisor Leno, to move to amend on page 2 line 2 to delete the letter "s" from the word "chapter".

Supervisor Daly, seconded by Supervisor Leno, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Hall requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-136

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

021392 **[Ballot Argument - Supervisors Salaries]**
Supervisors Gonzalez, Leno

Motion authorizing proponent's ballot argument in favor of Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.

Supervisors Newsom and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-137

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Newsom, Yee

021394 **[Ballot Argument - Energy Self-sufficiency]**
Supervisors Gonzalez, Daly, Maxwell

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding energy self-sufficiency.

Supervisor McGoldrick, seconded by Supervisor Daly, moved to amend on page 1 paragraph 5 to delete "The City has a plan to turn this around."

Supervisor McGoldrick, seconded by Supervisor Daly, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisors Hall, Newsom and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-138

APPROVED AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

021328 **[Ballot Argument - Veterans Building Special Election]**
Supervisor Sandoval

Motion authorizing proponent's ballot argument in favor of Proposition C, Bond Measure regarding Veterans Building Special Election.

Supervisors Hall and Peskin requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-130

APPROVED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

021330 **[Ballot Argument - Condominium Conversion Regulations]**
Supervisors Peskin, Daly

Motion authorizing ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

Supervisors Hall, Leno, Maxwell, Newsom, Sandoval and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-131

APPROVED by the following vote:
Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval
Noes: 5 - Hall, Leno, Maxwell, Newsom, Yee

CONSENT AGENDA

Recommendation of the Transportation and Commerce Committee

021282 **[Accept-Expend FHWA Value Pricing Pilot Program Grant]**

Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively accept and expend a grant in the amount of $378,186.40 from the Federal Highway Administration and the California State Department of Transportation to assist in the development and administration of the City CarShare program. (Parking and Traffic Department)

Resolution No. 570-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

021259 **[Sewer Service Charges, Fiscal Year 2002-2003]**
Mayor

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 2002-2003 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code). (Mayor)

Ordinance No. 181-02

FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of the Finance Committee

021067 **[Amending Public Works Code, Street Space Occupancy Permits; Modify the Fee Collection]**
Supervisors Peskin, Newsom, Daly, Sandoval, Leno

Ordinance amending Public Works Code Sections 724 through 724.9 concerning street space occupancy permits to modify the fee collection structure, provide for fee refunds, assess right-of-way occupancy costs, establish minimum notice requirements, and impose other related procedures; amending Traffic Code Section 33.1A to replace existing provisions concerning special parking restrictions with a requirement that the Department of Parking and Traffic and Department of Public Works coordinate jurisdictional activities over street space occupancy permits.

Ordinance No. 180-02
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Recommendation of Rules and Audits Committee

020968 **[Bicycle Advisory Committee]**
Supervisors Gonzalez, Daly

Ordinance (1) amending Sections 5.130 and 5.131 of the San Francisco Administrative Code to (i) provide that each member of the Board of Supervisors shall nominate one person for appointment to the Bicycle Advisory Committee by the Board of Supervisors, (ii) require that the Bicycle Advisory Committee inform the Board of Supervisors of the committee's diversity with respect to age, ethnicity, gender, disability and sexual orientation; (iii) change the term of members of the Bicycle Advisory Committee from three years to two years, or the remaining tenure of the nominating supervisor, whichever is shorter in duration, and (iv) provide for the removal of members of the Bicycle Advisory Committee; and (2) removing all current members of the Bicycle Advisory Committee and requiring new appointments thereto in accordance with Section 5.130 of the San Francisco Administrative Code, as amended by this ordinance.

Ordinance No. 179-02
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

NEW BUSINESS

From Budget Committee Without Recommendation

021356 **[Prohibiting temporary exchanges or reclassifications to Deputy Director, or equivalent classifications or policy-making or policy-implementing positions that report directly to a Department Head, without approval of the Board of Supervisors]**

Supervisors Peskin, Ammiano, Daly, Gonzalez, Sandoval, McGoldrick

Ordinance amending Section 10.1 of the Administrative Provisions of the Annual Appropriation Ordinance to prohibit temporary exchanges or reclassifications to departmental Deputy Director, or equivalent classifications or policy-making or policy-implementing positions that report directly to a Department Head, without approval of the Board of Supervisors.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Peskin, Sandoval
Noes: 4 - Hall, Maxwell, Newsom, Yee

Recommendations of the Neighborhood Services and Recreation Committee

020418 **[State Grant - Recreation and Park Department]**

Supervisors Leno, Hall

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the amount of $250,000 from the California State Coastal Conservancy for habitat restoration and trail improvements in Glen Canyon Park.

(No Public Benefit Recipient.)

Supervisor Leno moved to amend on page 1 line 24 after "Commission" by inserting "an".

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Resolution No. 568-02

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

021173 **[Liquor License Transfer, 2215-2217 Union]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Rimon Dabit dba "Union Street Pantry, Inc." from 2190 Union Street to 2215-2217 Union Street (District 2), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 569-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

From Rules and Audits Committee Without Recommendation

021260 [Citizens Advisory Committee for Natural Areas Program]
Supervisor Yee

Resolution establishing a Board of Supervisors Citizens Advisory Committee for the Recreation and Park Natural Areas Program.

Supervisor Yee requested that this item be continued to August 26, 2002.
Supervisor Yee, seconded by Supervisor Hall, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

021264 [Urge Recreation and Parks Department to work with neighborhood groups]
Supervisor Yee

Resolution urging the Recreation and Park Department to work more closely with neighborhood groups.

Supervisor Yee requested that this item be continued to August 26, 2002.
Supervisor Yee, seconded by Supervisor Hall, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Recommendation of the Transportation and Commerce Committee

021142 [Motorcycle Parking Zones]
Supervisors Gonzalez, Daly, Leno

Ordinance amending San Francisco Traffic Code Sections 27 and 219 to allow the removal of non-motorcycles from designated motorcycle parking zones and to encourage the designation of new motorcycle parking zones.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

SPECIAL ORDER 3:00 p.m.

021319 **[Public Hearing]**

Hearing of persons interested in or objecting to proposed resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et. seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services Rendered by said Department of Costs thereof having accrued pursuant to the Code Violations referenced above. (Clerk of the Board)

Public Hearing:

Bob Noelke, Chief Housing Inspector, Building Inspection Department
Louise Booker, 591 Waller Street
Male speaker owner of property located on Ocean Avenue

President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

From the Department of Building Inspection

021318 **[Special Assessment Liens for Assessment of Costs]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et. seq., and Sections 108 and 110 Tables 1-K, and 1-G of the SF Bldg. Code submitted by the Dir. of Building Inspection for Services Rendered by said Dept. of Costs thereof having accrued pursuant to the Code Violations referenced above. (Building Inspection Department)

Continued to August 26, 2002
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

021244 **[Public Hearing - Appeal, Conditional Use, 2863 California Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16446 dated June 20, 2002, approving Conditional Use Application No. 2002.0408C pursuant to Planning Code Sections 161(j) for a proposed three story mixed-use building without off-street parking for four residential units in a Small Scale Neighborhood Commercial District (NC-2) District, located at 2863 California Street, on the south side between Broderick and Divisadero Streets; Lot 023, in Assessor's Block 1028.

(Appeal filed July 22, 2002; categorically exempt from environmental review process pursuant to Class 3 (a) and (ac) exemptions of Title 14 of the California Administrative Code; companion measure to Files 021244, 021245, 021246, 021247; District 2.)

Appellants: Male speaker; William Gatsolocka; Male speaker owner of property located on Pine Street; Charles Bush; Ms. Lawton; Ms. Thornton; John Shacker; Male speaker; Male speaker; Janet Poher; Female speaker owner of property located on California Street.

Respondents: Gerald Green, Director of the Planning Department, representing the Planning Commission and Dan Sullivan, Sponsor representative.

A rebuttal period was allowed.

The President then declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

021245 **[Appeal, Conditional Use, 2863 California Street]**

Motion approving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1.

Continued to August 26, 2002
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021246 **[Appeal, Conditional Use, 2863 California Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to August 26, 2002
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021247 **[Findings - 2863 California Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0408C, on property located 2863 California Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to August 26, 2002

CONTINUED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

SPECIAL ORDER 3:00 P.M.

021276 **[Public Hearing - Appeal, Conditional Use, 1005-1007 Geneva Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16440 dated June 20, 2002, disapproving Conditional Use Application No. 2002.0015C, to demolish a residential unit at the second story pursuant to Planning Code Section 712.39 and to construct a four-story mixed use building with 3 residential units and a ground floor commercial space in an NC-3 (Moderate Scale Neighborhood Commercial) District and in a 40-AX Height and Bulk District on property located at 1005-1007 Geneva Street, north side of Geneva Avenue, between Paris Street and Lisbon Street, Lot 013, in Assessor's Block No. 6408.

(Appeal filed July 18, 2002; categorically exempt from environmental review process pursuant to Class 3 (a) and (ac) exemptions of Title 14 of the California Administrative Code; Case No. 2002.0015C; companion measure to Files 021277, 021278, 021279; District 11.)

No Speakers for Appellant.

Speakers in Support of Sponsor: Jeremy Hall; Manny Gomez, Steven Currier; Victoria Dermeg.

Respondents: Gerald Green, Director of the Planning Department, representing the Planning Commission.

A rebuttal period was allowed.

The President then declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

021277 **[Appeal, Conditional Use, 1005-1007 Geneva Avenue]**

Motion approving decision of the Planning Commission by its Motion No. 2002.0015C, disapproving Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

021278 **[Appeal, Conditional Use, 1005-1007 Geneva Avenue]**

Motion disapproving decision of the Planning Commission by its Motion No. 2002.0015C, disapproving Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M02-140

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

021279 **[Findings - 1005-1007 Geneva Avenue]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M02-141

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

021442 **[Hearing - 601 King Street]**

Hearing to consider legislation contained in File Nos. 021297 and 012042 regarding King Street.

(Companion measure to Files 012042, 021297, 021439.)

Supervisor Daly requested that this item be continued to November 18, 2002.

CONTINUED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Committee of the Whole Rise and Report Without Recommendation

Called From Transportation and Commerce Committee by Supervisor Daly

021297 **[CEQA Findings]**
Supervisor Daly

Resolution adopting environmental findings pursuant to the California Environmental Quality Act and State Guidelines in connection with adoption of a zoning map amendment for the 601 King Street Project.

Supervisor Daly requested that this item be continued to November 18, 2002.
CONTINUED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

012042 **[Zoning Map Amendment - King and Townsend Streets]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Maps 8 and 8H, to change the use district designation of Assessor's Block 3800, Lots 1, 2, 3 and 4 and Assessor's Block 3799, Lot 7, at King and Townsend Streets near Seventh Street, from M-2 (Heavy Industrial) to SLR (Service/Light Industrial/Residential Mixed-Use District), to change the height and bulk district designation of Assessor's Block 3800, Lots 1 and 2, at King and Seventh Streets, from 50-X to 65-X, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Daly requested that this item be continued to November 18, 2002.
CONTINUED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

PUBLIC COMMENT

Abadalah Megahed; homelessness
L. Roberts; homelessness
Female Speaker; Housing issues
Male Speaker; SFGH staff issues

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

021441 **[Legislative Analyst Request]**
Supervisor Leno

Motion asking the Legislative Analyst research the City of Los Angeles's DISARM Program and our Adult Juvenile probation measures to determine if DISARM could be an effective model for San Francisco to ensure that individuals under probation are not allowed to possess firearms.

APPROVED by the following vote:
Ayes: 6 - Ammiano, Daly, Leno, Maxwell, Peskin, Sandoval
Absent: 5 - Gonzalez, Hall, McGoldrick, Newsom, Yee

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plaintiff or Defendant

021321 **[Anticipated Litigation]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff or defendant) which may occur with Television Signal Corporation and AT&T Broadband et al. regarding compliance with the City's cable television franchise and AT&T Broadband's proposed merger with Comcast. (City Attorney)

This closed session would be permitted by Government Code Section 54956.9(b) and (c) and the San Francisco Administrative Code Section 67.10(d).

Continued to August 26, 2002

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Litigation be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Hall, Newsom, Yee

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

021451 [Closed Session - Existing Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following litigation against energy generators and traders for price gouging and market manipulation in which the City and County of San Francisco is a plaintiff:

PEOPLE v. DYNEGY, et al.
San Diego Superior Court No. 318189, filed 1/18/01, and now consolidated as
WHOLESALE ELECTRICITY ANTITRUST CASES I & II
U. S. District Court Nos. 02 CV 0990-RHW, and 02 CV 1000-RHW (Southern District of California)

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending litigation. (City Attorney)

Supervisor Leno, seconded by Supervisor Daly, moved to convene in closed session. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Hall, Newsom, Yee

Recess

The Board recessed at the hour of 6:01 p.m to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 6:20 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present: Supervisors Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval - 8.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval;
Ted Lakey, Deputy City Attorney;
Theresa Mueller, Deputy City Attorney
Gloria L. Young, Clerk of the Board;
Kay Gulbengay, Deputy Clerk;
Victor Young, Assistant Clerk.

HEARD IN CLOSED SESSION by the following vote:

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Hall, Newsom, Yee

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Leno, seconded by Supervisor McGoldrick, moved. The motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Hall, Newsom, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

021420 **[Commend Maitri]**
Supervisors Leno, Ammiano, McGoldrick, Maxwell, Newsom, Daly

Resolution commending Maitri for fifteen years of service to the San Francisco AIDS community.

Resolution No. 571-02
ADOPTED

021424 **[Mr. Asher Harer Day]**
Supervisor Ammiano

Resolution in recognition of Mr. Asher Harer for his dedicated service and leadership to the City and County of San Francisco and declaring August 14, 2002 Asher Harer Day in the City and County of San Francisco.

Resolution No. 572-02
ADOPTED

021425 **[Accept and Expend State Grant, Recreation and Park Department - $50,000]**
Supervisors Gonzalez, Peskin

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the amount of $50,000 from the California Integrated Waste Management Board (CIWMB) for the installation of recycled-content materials and equipment in Alamo Square.

(No Public Benefit Recipient.)

Resolution No. 573-02
ADOPTED

021426 **[Mercy High School Day]**
Supervisors Hall, Newsom

Resolution proclaiming October 5, 2002 as "Mercy High School Day" in the City and County of San Francisco in honor of the school's 50th anniversary of service to young women in San Francisco.

Resolution No. 574-02
ADOPTED

021427 **[National Alcohol and Drug Addiction Recovery Month]**
Supervisor Newsom

Resolution declaring September 2002 as "National Alcohol and Drug Addiction Recovery Month" in the City and County of San Francisco.

Resolution No. 575-02
ADOPTED

021428 **[Declaring Women's Equality Day]**
Supervisors Leno, Maxwell, McGoldrick, Newsom, Daly

Resolution declaring August 26, 2002 Women's Equality Day in San Francisco.

Resolution No. 576-02
ADOPTED

021429 **[Sojourner Truth Foster Family Service Agency Day]**
Supervisors Leno, Maxwell, Newsom

Resolution declaring Saturday, August 31, 2002 Sojourner Truth Foster Family Service Agency Day.

Resolution No. 577-02
ADOPTED

021430 **[Car Free Day]**
Supervisors Maxwell, Peskin, Ammiano, Daly, Leno, Newsom

Resolution to proclaim Friday, September 27, 2002 as Car Free Day in San Francisco.

Resolution No. 578-02
ADOPTED

021431 **[Urge passage of Federal Prescription Drug Plan]**
Supervisors Sandoval, Daly

Resolution urging the United States Congress to address the crisis of the rapidly rising costs for prescription drugs.

Resolution No. 579-02
ADOPTED

021432 **[Commend Centro Latino]**
Supervisors Daly, Leno

Resolution commending Centro Latino for its service to the low-income elderly and immigrant community and on the occasion of its 30th Anniversary.

Resolution No. 580-02
ADOPTED

021433 **[Commend Market Street Railway]**
Supervisors Daly, Newsom, Peskin

Resolution commending the Market Street Railway non-profit for its invaluable aid and assistance to the MUNI F-line in the acquisition, restoration and maintenance of the historic street car fleet and for its promotion of public transportation.

Resolution No. 581-02
ADOPTED

021434 **[Commend Filipino-American Democratic Empowerment Council]**
Supervisors Leno, Newsom, Daly

Resolution commending the Filipino-American Democratic Empowerment Council for their sponsorship of the First Filipino-American Democrats of America Conference and their efforts to bring political power to Filipino Americans nationwide.

Resolution No. 582-02
ADOPTED

021435 **[Commend Visitacion Valley Elementary School and Visitacion Valley Middle School]**
Supervisors Maxwell, Newsom

Resolution commending Visitacion Valley Elementary School and Visitacion Valley Middle School for exceeding their growth targets of the Governor's Academic Performance Index (API) in all areas.

Resolution No. 583-02
ADOPTED

021440 **[Urge California Legislature to pass AB 58]**
Supervisors Leno, Daly

Resolution urging the California State Legislature to pass and Governor Gray Davis to sign AB 58 which extends electricity net metering for customer-based solar and wind power generation systems over ten kilowatts in size.

Resolution No. 584-02
ADOPTED

021414 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, McGoldrick, Maxwell, Peskin

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M02-139
APPROVED

021447 **[Suspending the Rules of Order]**
Supervisor Daly

Motion suspending Rule 4.37 regarding referral of appointments to Rules Committee.

(Companion measure to File 021446.)

Motion No. M02-142
ADOPTED

021446 **[Appointment - United Nations Plaza Working Group]**
Supervisor Daly

Resolution appointing Mary Millman to vacant seat number two of the United Nations Plaza working group, and waiving the residency requirement for Ms. Millman.

Resolution No. 585-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Hall, McGoldrick, Newsom, Yee

Severed From For Adoption Without Committee Reference Agenda

Supervisor Daly requested this matter be severed so it could be considered separately.

021439 **[Committee of the Whole - 601 King Street]**
Supervisor Daly

Motion scheduling a Committee of the Whole to consider legislation regarding 601 King Street, to be held on August 19, 2002 at 3:00 PM.

Supervisor Daly moved to amend to change the dates on lines 4 and 6 to change the date from"August 19, 2002" to "November 18, 2002".

Supervisor Daly, seconded by Supervisor Leno, moved that this Motion be AMENDED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

Motion scheduling a Committee of the Whole to consider legislation regarding 601 King Street, to be held on November 18, 2002 at 3:00 PM.

Supervisor Daly requested that this item be continued to November 18, 2002.

CONTINUED AS AMENDED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

011498 **[Identification and Use of Surplus City Property for Housing]**
Supervisor Daly

Ordinance adding San Francisco Administrative Code Chapter 23A to identify and establish Board policy regarding surplus, unutilized and underutilized City real property for housing for the homeless.

8/13/01, RECEIVED AND ASSIGNED to Rules Committee.

1/28/02, TRANSFERRED to Rules and Audits Committee. Transferred pursuant to new committee structure.

5/13/02, SUBSTITUTED. Supervisor Daly submitted a draft substitute ordinance bearing new title.

5/13/02, ASSIGNED to Rules and Audits Committee.

6/11/02, TRANSFERRED to Health and Human Services Committee.

8/19/02, SUBSTITUTED. 8/19/02 Supervisor Daly submitted an amendment of the whole bearing new title.

8/19/02, ASSIGNED to Health and Human Services Committee.

021338 **[Third Street Alcohol Restricted Use District]**
Supervisor Maxwell

Ordinance adding Section 782 to the Planning Code to create a Third Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Section 249.14 of the Planning Code to remove inconsistent regulations regarding liquor establishments; amending Zoning Map Sheet 8SU and 10SU of the City and County of San Francisco to indicate the boundaries of the Third Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/29/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 8/28/2002. 8/6/02 - Transmitted to Planning Commission for public hearing and recommendation.

8/19/02, SUBSTITUTED. Supervisor Maxwell submitted a substitute ordinance bearing new title.

8/19/02, ASSIGNED to Transportation and Commerce Committee.

021458 **[Amend Police Code Section 1070.16]**
Supervisors Leno, Daly, Gonzalez

Ordinance amending San Francisco Police Code Section 1070.16 to allow adults over the age of 18 into after hours premises.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.
The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on November 15, 2002. Therefore, the Board will loose the ability to override the veto unless it votes on the veto override on or before December 15, 2002.

(November 15, 2002 - Returned disapproved by Mayor;
November 18, 2002 - Consideration scheduled for November 25, 2002.)

8/19/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 9/18/2002.

021459 [Amend Police Code Sections 1060.28 and 1070.27]
Supervisors Leno, Daly, Gonzalez

Ordinance amending San Francisco Police Code Sections 1060.28 and 1070.27 to require places of entertainment and after hours premises with a dance floor and a capacity of 500 persons or more to provide or sell at a reasonable cost earplugs to patrons.
8/19/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 9/18/2002.

021460 [Amend Police Code Sections 1060.5 and 1070.5]
Supervisors Leno, Daly

Ordinance amending San Francisco Police Code Section 1060.5 and 1070.5 to require 30 days notice of permit application for place of entertainment and after hours premises.
8/19/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/18/2002. (9/13/02 - Referred to Small Business Commission for comment and recommendation.)

021461 [Amend Police Code Section 1024]
Supervisors Leno, Daly, Gonzalez

Ordinance amending Section 1024 of the San Francisco Police Code to remove references to "moral character" of applicant and to allow Chief of Police to consider criminal and permit history of applicant in determining whether to grant or deny application.
8/19/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/18/2002. (9/13/02 - Referred to Small Business Commission for comment and recommendation.)

021462 [Prohibiting employment discrimination and business-to-business discrimination and making miscellaneous amendments to clarify existing discrimination provisions]
Supervisor Leno

Ordinance amending Section 12B.1 of the Administrative Code and Sections 3303 and 3310 of the Police Code to prohibit employment discrimination against independent contractors and other workers.
8/19/02, ASSIGNED UNDER 30 DAY RULE to Health and Human Services Committee, expires on 9/18/2002.

021463 [Amend Police Code Sections 3305, 3307 and 3310]
Supervisor Leno

Ordinance amending Sections 3305, 3307 and 3310 of the Police Code to prohibit discrimination against business establishments.
8/19/02, ASSIGNED UNDER 30 DAY RULE to Health and Human Services Committee, expires on 9/18/2002.

021464 **[Amend Park Code add Section 3.19]**
Supervisor Leno

Ordinance amending the San Francisco Park Code by adding Section 3.19 to require public notice prior to removing or girdling trees.
8/19/02, ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Recreation Committee, expires on 9/18/2002.

021465 **[Supplemental Appropriation, Larkin Youth Center]**
Supervisor Daly

Ordinance appropriating $176,000 from the State Revenue Stabilization Reserve for Larkin Street Youth Center for the Homeless Youth Emergency Services Programs through the Department of Human Services for fiscal year 2002-03.
8/19/02, RECEIVED AND ASSIGNED to Finance Committee.

021467 **[Amend Police Code add Section 681]**
Supervisors Yee, Peskin, Gonzalez

Ordinance amending the San Francisco Police Code Chapter 6, by adding Section 681 to prohibit the parking of large vehicles for the purpose of displaying commercial advertising.
8/19/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 9/18/2002.

Resolutions

021468 **[Waste Diversion Goal]**
Supervisors Ammiano, Leno, Daly, Gonzalez, Peskin

Resolution adopting a goal of 75% landfill diversion by the year 2010 and a long term goal of zero waste, with the date set once the 75% diversion goal is met, and adopting a policy of promoting the highest and best use of discarded materials and only allowing the use of alternative daily cover to be counted as credit toward meeting the diversion goals if there are no higher and better uses available, and urging the State of California to adopt similar goals.
8/19/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021466 **[Design Build Contract]**
Supervisors Maxwell, Daly

Resolution approving award of a design build contract for the "Moscone Center Renewable Energy Power Plant".

(Fiscal impact.)

6/21/02, APPROVED.

8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021469 **[Issuance and Sale of Revenue Bonds - Folsom/Dore Multifamily Residential Rental Housing Development]**
Supervisor Daly

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $19,000,000 for the Folsom/Dore multifamily residential rental housing development.

(Fiscal impact.)
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021470 **[Contracting Out Budget Analyst Services]**
Resolution concurring with the Controller's certification that Budget Analyst services can be practically performed by a private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board)
8/19/02, RECEIVED AND ASSIGNED to Finance Committee.

021471 **[Accept-Expend Robert Wood Johnson Foundation Grant]**
Supervisor Newsom

Resolution authoring the Department of Aging and Adult Services to accept and expend a grant in the amount of $150,000 from the Robert Wood Johnson Foundation for a strategic planning process to develop an integrated model of service delivery for older and disabled adults.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021472 **[Urge Passage of AB 714]**
Supervisors Sandoval, Daly

Resolution urging the California State Senate to pass Assembly Bill No. 714.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021473 **[Support Senate Bill 1736]**
Supervisors Sandoval, Daly

Resolution urging Governor Gray Davis to sign Senate Bill 1736.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021474 **[Support 5th International Michelin Challenge Bibendum]**
Supervisor Ammiano

Resolution supporting the 5th International Michelin Challenge Bibendum to San Francisco in September, 2003, and pledging our close cooperation and support of this important event.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021475 **[Extending Abandoned Auto Vehicle]**
Supervisor Maxwell

Resolution authorizing the extension of the one dollar ($1) vehicle registration fee on all vehicles registered in San Francisco to be used only for the abatement, removal and disposal of abandoned vehicles pursuant to Senate Bill 1333.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021476 **[Extend Planning Commission Review Period]**
Supervisor Maxwell

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District and make findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021477 **[Support Senate Bill 1125]**
Supervisors Newsom, Daly, Peskin, Leno

Resolution urging Governor Gray Davis to adopt Senate Bill 1125, introduced by John Burton, which will give farm workers the ability to recover appropriate monetary relief for all labor violations and will encourage surety bond companies to undertake greater scrutiny of contractors that are issued wage bonds.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021478 **[Use of Veterans Building]**
Supervisor Yee

Resolution urging the San Francisco Posts of the American Legion ("San Francisco Posts"), as beneficiaries of the 1921 War Memorial Trust Agreement, to allow Veterans' groups that have been nationally chartered by Congress to have equal access to the San Francisco Posts' allotted space in the War Memorial Veterans Building.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021479 **[Commend Mabel Seto]**
Supervisor Sandoval

Resolution commending the Asian Pacific American Community Center for its first fundraising event and Mabel Seto on the occasion of her birthday.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021480 [Commend First SF Summit on Immigrant Rights]
Supervisors Sandoval, Daly

Resolution commending the San Francisco Immigrant Rights Commission for organizing the First San Francisco Summit on Immigrant Rights.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021481 [Commend Big Brothers Big Sisters of America]
Supervisors Leno, Maxwell

Resolution commending Big Brothers Big Sisters of America (BBBS), an award-winning youth organization that allows gay and lesbian volunteers the equal opportunity to serve as one-on-one mentors to children.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021482 [Commend New Bessie Carmichael Working Group]
Supervisor Daly

Resolution commending the efforts of the New Bessie Carmichael Working Group.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021483 [Commend Mission Learning Center]
Supervisor Daly

Resolution commending Mission Learning Center for its commitment to the community through education, and for its impressive results in teaching children to read at their grade level.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021484 [Commend Juma Ventures]
Supervisor Newsom

Resolution commending Juma Ventures for its recent distinction as a 2002 Promising and Effective Practices Network (PepNet) renewal Awardee.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

021485 [Ocean Beach]
Supervisor Newsom

Hearing to discern the current conditions of Ocean Beach, including but not limited to the level of interdepartmental coordination by the appropriate city agencies regarding: 1) Environmental cleanup of the beach; 2) Sanitation and safety of the beach; 3) Beautification efforts for the beach.
8/19/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

Motions

021457 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021486 **[Committee of the Whole]**
Supervisor Peskin

Motion scheduling a Committee of the Whole to consider the Mayor's nominations to the Planning Commission to be held on August 26, 2002 at 3:00 p.m. (File Nos. 021487-021494)
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021487 **[Appointment, Planning Commission]**
Motion approving the Mayor's nomination to Seat No. 4 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021488 **[Appointment, Planning Commission]**
Motion approving the Mayor's nomination to Seat No. 5 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021489 **[Appointment, Planning Commission]**
Motion approving the Mayor's nomination to Seat No. 6 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021490 **[Appointment, Planning Commission]**
Motion approving the Mayor's nomination to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021491 **[Appointment, Planning Commission]**
Motion rejecting the Mayor's nomination to Seat No. 4 of the Planning Commission. (Mayor)
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021492 **[Appointment, Planning Commission]**
Motion rejecting the Mayor's nomination to Seat No. 5 of the Planning Commission. (Mayor)
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021493 **[Appointment, Planning Commission]**
Motion rejecting the Mayor's nomination to Seat No. 6 of the Planning Commission. (Mayor)
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021494 **[Appointment, Planning Commission]**
Motion rejecting the Mayor's nomination to Seat No. 7 of the Planning Commission. (Mayor)
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021498 **[Suspending the Rules of Order]**
Supervisor Peskin

Motion suspending Rule 4.37 regarding referral of appointments to Rules Committee.
8/19/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by the President at the Request of Departments

PROPOSED ORDINANCES

021443 **[Settlement of Lawsuit]**
Ordinance authorizing a Code of Civil Procedure section 998 settlement offer of $100,000.00 in the lawsuit filed by intervening plaintiff Alane Bernadette Baca against the City and County of San Francisco; the lawsuit was filed on October 4, 2001 in San Francisco Superior Court, Case No. 325-126; entitled Department of Fair Employment and Housing, et al., v. City and County of San Francisco, et al (Real Party in Interest: Alane Bernadette Baca). (City Attorney)

(Public Benefit Recipient)
8/14/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021449 **[Settlement of Lawsuit]**

Ordinance authorizing offer of settlement of the lawsuit filed by Dillingham Construction N.A., Inc. against the City and County of San Francisco for $350,000.00; the lawsuit was filed on March 19, 2001 in San Mateo County Superior Court, Case No. 416236; entitled Dillingham Construction N.A., Inc., et al., v. City and County of San Francisco, et al; other material terms of said settlement are that the settlement amount is to be paid through the release of such monies from the retention account for SFIA Airport Contract No. 5500.J North Connector Package in exchange for dismissal with prejudice of the lawsuit and the waiver of costs and attorneys fees. (City Attorney)

(No Public Benefit Recipient.)
8/9/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

PROPOSED RESOLUTIONS

021422 **[Accept-Expend State Grant]**
Supervisor Leno

Resolution authorizing the San Francisco Arts Commission to accept and expend a grant in the amount of $109,000 from the State of California Department of Parks and Recreation for the Restoration of the James A. Garfield and the Guiseppe Verdi Monuments in Golden Gate Park. (Recreation and Park Department)

(Public Benefit Recipient)
8/13/02, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

021444 **[Confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency]**
Supervisor Daly

Resolution confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2003. (Mayor)
8/13/02, RECEIVED AND ASSIGNED to Rules and Audits Committee. Sponsor requests this item be scheduled for consideration at the August 23, 2002 special Rules Committee meeting.

PROPOSED MOTIONS

021450 **[Advisory Board Report, Union Square Business Improvement District]**
Motion approving the annual report by the Advisory Board to the Union Square Business Improvement District for Fiscal Year 2001-2002. (Clerk of the Board)
8/12/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Requests Granted

From: Supervisor Daly
To: Director, Mayor's Office of Housing
To: Director, Office of Emergency Services
To: General Manager, Public Utilities Commission (PUC)
To: Chief, Police Department
To: Chief, Fire Department
Requesting/Inquiring: That the Directors of the Mayor's Office of Housing, Emergency Services, General Manager of PUC and the Chief of the Police and Fire Departments comment on community concerns about the Folsom/Dore Project:
Sewer capacity for existing businesses and the proposed development;
The feasibility of utility undergrounding on Dore Alley; and
The capacity of the Alley with the project to accommodate emergency responders.

From: Supervisor Hall
To: Recreation and Park Department
Requesting/Inquiring: To detail the steps necessary for the City to take in order for it to take advantage of the donation of funds from the Excelsior Running Club to measure and install markers along Lake Merced.

In Memoriams

Sandra Ng (Supervisor Yee)

ADJOURNMENT

There being no further business, the Board at the hour of 6:25 p.m. adjourned.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 30, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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Monday, August 26, 2002 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

TOM AMMIANO, PRESIDENT
CHRIS DALY, MATT GONZALEZ, TONY HALL, MARK LENO,
SOPHIE MAXWELL, JAKE McGOLDRICK, GAVIN NEWSOM,
AARON PESKIN, GERARDO SANDOVAL, LELAND Y. YEE
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Yee, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 10:00 AM
City and School District Committee Supervisor Ammiano, Supervisor Leno, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Leno, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Leno, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Yee, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Volume 97 Number 34

Members Present: Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Mark Leno, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval, Leland Y. Yee.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Tom Ammiano presiding.

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Maxwell and McGoldrick - 2

Quorum present.

Supervisor Maxwell was noted present at 2:01 p.m.
Supervisor McGoldrick was noted present at 2:02 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Leno, seconded by Supervisor Peskin, moved to approve the minutes of the Board of Supervisors of July 1, 2002. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Newsom, Peskin, Sandoval, Yee
Absent: 2 - Maxwell, McGoldrick

AGENDA CHANGES

The President inquired if there were any changes to the agenda members were aware of which needed to be continued, tabled or considered differently.

Clerk of the Board informed the Board that File Nos. 021455, 021486, 021487-021494 and 021498 will need to be continued or tabled.

Supervisor Newsom requested File Nos. 021245, 021246, 021247 be continued.

Supervisor Peskin requested File No. 021356 be tabled.

Privilege of the Floor

Supervisor Newsom, seconded by Supervisor Gonzalez, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant the privilege of the floor for the following presentations. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Superintendent of the San Francisco Unified School District, Arlene Ackerman.

Supervisor Yee introduced, welcomed and presented a Certificate of Honor to Deputy Sheriffs of the San Francisco Sheriff's Department for heroic actions during an incident at City Hall.

Supervisor Gonzalez introduced, welcomed and presented a Certificate of Honor to Patricia Walkup, for her efforts as President, Hayes Valley Neighborhood Association

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

From the Rules and Audits Committee

021383 **[Rebuttal Argument - Water and Sewer]**
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.

Motion was withdrawn. No Ballot Argument was submitted.

021385 **[Rebuttal Argument - Retirement Benefits for Police and Fire personnel]**
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.

Motion was withdrawn. No Ballot Argument was submitted.

021387 **[Rebuttal Argument - Elections Department]**
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a Charter Amendment regarding assistance to the Elections Department.

Motion No. M02-146

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021389 **[Rebuttal Argument - Revenue Bond Election]**
Supervisor Ammiano

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, Bond Measure regarding a Revenue Bond Election.

Supervisors Gonzalez, Hall, Newsom, Sandoval, and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-147

APPROVED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 3 - Hall, Sandoval, Yee

021327 **[Rebuttal Argument - Entertainment Commission]**
Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a Charter Amendment regarding Entertainment Commission.

Supervisors Hall, Maxwell and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-144

APPROVED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

021391 **[Rebuttal Argument - Paid Parental Leave]**
Supervisor Daly

Motion authorizing rebuttal to opponent's ballot argument against Proposition I, a Charter Amendment regarding paid parental leave.

Motion was withdrawn. No Ballot Argument was submitted.

021393 **[Rebuttal Argument - Supervisors Salaries]**
Supervisors Gonzalez, Leno, Ammiano, Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.

Supervisor Gonzalez, seconded by Supervisor Daly, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisors Newsom and Yee requested not to be listed as endorsing the Ballot Measure.
Supervisors Ammiano and Sandoval requested to be as co-sponsors.

Motion No. M02-148

APPROVED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Newsom, Yee

021395 **[Rebuttal Argument - Energy Self-sufficiency]**
Supervisors Gonzalez, Daly, Maxwell

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter Amendment regarding energy self-sufficiency.

Supervisor Gonzalez, seconded by Supervisor Peskin, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Supervisors Hall, Newsom and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-149

APPROVED AS AMENDED by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

021329 **[Rebuttal Argument - Veterans Building Special Election]**
Supervisor Sandoval

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Bond Measure regarding Veterans Building Special Election.

Supervisors Hall and Peskin requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-145

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

021331 **[Rebuttal Argument - Condominium Conversion Regulations]**
Supervisor Peskin

Motion authorizing rebuttal ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

Supervisors Hall, Leno, Maxwell, Newsom, Sandoval and Yee requested not to be listed as endorsing the Ballot Measure.

Motion No. M02-143

APPROVED AS AMENDED by the following vote:
Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Hall, Leno, Newsom, Yee

CONSENT AGENDA

Recommendations of the Finance Committee

021403 **[Airport Information Booth Contract, Fiscal Year 2002-2003]**

Resolution approving the Controller's Certification that Airport Information Booth Services at San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by City employees at currently budgeted levels. (Airport Commission)

(Public Benefit Recipient.)

Resolution No. 619-02

ADOPTED

021410 **[Accept and Expend Federal Grant]**

Resolution authorizing the Airport Commission to accept and expend a funding increase from $1,202,500 to $1,695,500 from the Federal Aviation Administration ("FAA") for the SFPD-AIRPORT Bureau K-9 Explosive Detection Team. (Airport Commission)

(Public Benefit Recipient.)

Resolution No. 620-02

ADOPTED

Recommendations of the Health and Human Services Committee

021322 **[Five year strategic plan to reduce intimate partner violence in the community]**

Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $40,000 from the California Department of Health Services (CDHS) to develop a 5 year strategic plan to reduce intimate partner violence in the community and to enter into an agreement for the use of these funds; for the period of July 1, 2002 through September 30, 2003. (Public Health Department)

Resolution No. 614-02

ADOPTED

Recommendation of the Public Works and Public Protection Committee

021238 **[Campaign to educate the driving public on how to yield to responding emergency vehicles - fire, police, and ambulances]**

Resolution authorizing the San Francisco Fire Department to accept and expend a new grant in the amount of $101,366 from the Office of Traffic Safety for the "Please Abide, Move Aside" program. (Fire Department)

Resolution No. 608-02

ADOPTED

Recommendations of the Rules and Audits Committee

021288 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Percival Agoncillo against the City and County of San Francisco for $62,500; the lawsuit was filed on November 17, 1999 in San Francisco Superior Court, Case No. 307-953; entitled Percival Agoncillo v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

021323 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Lee Reese against the City and County of San Francisco for $72,500.00; the lawsuit was filed on February 23, 2000 in Superior Court, Case No. 310-163; entitled Lee Reese v. California Bethel AME-Church, Inc., City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

021449 [Settlement of Lawsuit]

Ordinance authorizing offer of settlement of the lawsuit filed by Dillingham Construction N.A., Inc. against the City and County of San Francisco for $350,000.00; the lawsuit was filed on March 19, 2001 in San Mateo County Superior Court, Case No. 416236; entitled Dillingham Construction N.A., Inc., et al., v. City and County of San Francisco, et al; other material terms of said settlement are that the settlement amount is to be paid through the release of such monies from the retention account for SFIA Airport Contract No. 5500.J North Connector Package in exchange for dismissal with prejudice of the lawsuit and the waiver of costs and attorneys fees. (City Attorney)

(No Public Benefit Recipient.)

PASSED ON FIRST READING

020519 [Appointment]

Resolution appointing Adrienne Lacau term ending September 1, 2003 and Joseph K. Tham term ending September 5, 2005 to Assessment Appeals Board No. 2.

Adrienne Lacau, succeeding Anita Bedford, resigned, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 1, 2003.
Joseph K. Tham, succeeding Albert Zecher Jr., term expired, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a three-year term expiring September 5, 2005.

Resolution No. 595-02
ADOPTED

020914 **[Appointing Kimberly Brandon to Port Commission]**
Mayor

Resolution confirming the reappointment of Ms. Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2005. (Mayor)

Resolution No. 587-02
ADOPTED

021396 **[Appointment]**

Resolution appointing Benson Wong, Brian Hugh Henning, Cameron Coulter, Bob Schmitt, Michael Red, Lily Rahnema, Judith Teracina, Enola Maxwell and Joanne Hernadez terms ending September 4, 2006, to the Delinquency Prevention Commission.

Benson Wong, new position, seat 1, must be nominated by District 1 Supervisor for a new 4-year term ending September 4, 2006.
Brian Hugh Henning, new position, seat 2, must be nominated by District 2 Supervisor, for a new 4-year term ending September 4, 2006.
Cameron Coulter, new position, seat 3, must be nominated by District 3 Supervisor, for a new 4-year term ending September 4, 2006.
Bob Schmitt, new position, seat 4, must be nominated by District 4 Supervisor, for a new 4-year term ending September 4, 2006.
Michael Red, new position, seat 5, must be nominated by District 5 Supervisor, for a new 4-year term ending September 4, 2006.
Lily Rahnema, new position, seat 6, must be nominated by District 6 Supervisor, for a new 4-year term ending September 4, 2006.
Judith Teracina, new position, seat 7, must be nominated by District 7 Supervisor, for a new 4-year term ending September 4, 2006.
Vacant seat, new position, seat 8, must be nominated by District 8 Supervisor, for a new 4-year term ending September 4, 2006.
Vacant seat, new position, seat 9, must be nominated by District 9 Supervisor, for a new 4-year term ending September 4, 2006.
Enola Maxwell, new position, seat 10, must be nominated by District 10 Supervisor, for a new 4-year term ending September 4, 2006.
Joanne Hernandez, new position, seat 11, must be nominated by District 11 Supervisor, for a new 4-year term ending September 4, 2006.

Resolution No. 618-02
ADOPTED

021287 **[Settlement of Claim]**

Resolution approving the Settlement of Unlitigated Claim of California Department of Forestry and Fire Protection (CDF) for $50,000.00; Claim was filed on December 28, 2001. (City Attorney)

Resolution No. 610-02
ADOPTED

021370 **[Appointment]**

Resolution appointing Diane Robinson and Carol Ruth Silver terms ending September 5, 2005 and Thomas Ramm term ending September 6, 2004 to the Assessment Appeals Board 1.

Diane Robinson, succeeding herself, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for a three year term ending September 5, 2005.
Thomas Ramm, succeeding Ronald Chun, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for the unexpired portion of a three year term ending September 6, 2004.
Carol Ruth Silver, succeeding Stephan Wasserman, term expired, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code. *Pursuant to Section 1623 the three year term will end on the first Monday in September; for a three year term ending September 5, 2005.

Resolution No. 616-02
ADOPTED

021379 **[Appointment]**

Resolution appointing Rick Lewis, term ending December 7, 2002, to the Community Land Trust Task Force. Residency requirement waived.

Rick Lewis, succeeding David Jay-Bonn, resigned, seat 9, must be a member of an existing community land trust organization, for the remainder of a 1 year term expiring 12/7/02.

Resolution No. 617-02
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Severed From Consent Agenda

021195 **[Commending San Francisco Chapter of the National Organization for Women]**
Supervisors Newsom, Daly, Peskin, Ammiano, Leno

Resolution commending the San Francisco Chapter of the National Organization for Women for its continued efforts to empower women and its continued vigilance to attempts by others to limit the reproductive choice of women.

Supervisor Hall requested this matter be severed so it could be considered separately.
Supervisor Ammiano requested to be added as a co-sponsor.

Resolution No. 598-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

REGULAR AGENDA

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair.

Supervisors Ammiano and Newsom were noted absent at 8:11 p.m.

From the Clerk

021453 **[Adopting findings related to the Conditional Use appeal on property located at 1005-1007 Geneva Avenue]**

Motion adopting findings related to the appeal of the Planning Commission's disapproval of Conditional Use Application No. 2002.0015C (which requested authorization to demolish a residential unit at the second story pursuant to Planning Code Section 712.39, and to construct a four-story mixed use building with three residential units and a ground floor commercial space in an NC-3, Moderate Scale Neighborhood Commercial, District and in a 40-X Height and Bulk District) on property located at 1005-1007 Geneva Avenue, north side of Geneva Avenue, between Paris Street and Lisbon Street (Lot 13 in Assessor's Block 6408). (Clerk of the Board)

Motion No. M02-151

APPROVED by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

(Only one of the following two motions should be adopted.)

021245 **[Appeal, Conditional Use, 2863 California Street]**

Motion approving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor Yee, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

021246 **[Appeal, Conditional Use, 2863 California Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Yee, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

021247 **[Findings - 2863 California Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0408C, on property located 2863 California Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Yee, seconded by Supervisor Leno, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

021318 **[Special Assessment Liens for Assessment of Costs]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, Emergency Order Fees, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et. seq., and Sections 108 and 110 Tables 1-K, and 1-G of the SF Bldg. Code submitted by the Dir. of Building Inspection for Services Rendered by said Dept. of Costs thereof having accrued pursuant to the Code Violations referenced above. (Building Inspection Department)

Resolution No. 613-02

ADOPTED by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Yee
Absent: 3 - Ammiano, Newsom, Sandoval

Recommendations of Rules and Audits Committee

020988 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the matter of Cheryl C. Jessee v. City and County of San Francisco for $45,000 to Cheryl C. Jessee and $61,500 to her attorney of record, Mayo & Rogers. The lawsuit was filed on May 25, 2001, in San Francisco Superior Court, Case No. 321-661; entitled Cheryl C. Jessee v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 182-02

FINALLY PASSED by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

021045 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Yun Fong Kwan, et al., against the City and County of San Francisco for $90,000; the lawsuit was filed on March 22, 1999 in Superior Court, Case No. 302-154; entitled Kwan, et al. v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 183-02

FINALLY PASSED by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

021125 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by one hundred and one individual plaintiffs, in two separate lawsuits known as Rooker, et al. and Weaver, et al. against the City and County of San Francisco, for $862,581.63 in back overtime wages, $137,951.82 in interest payments and $378,043.46 in attorneys' fees and costs; the Rooker lawsuit was filed on March 9, 1999 in United States District Court, Case No. C99-1095 VRW, entitled Rooker, et al. v. City and County of San Francisco; the Weaver lawsuit was filed on June 27, 2000 in the United States District Court, Case No. C00-2271 VRW, entitled Weaver, et al. v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 184-02

FINALLY PASSED by the following vote:

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

From Rules and Audits Committee Without Recommendation

021260 **[Citizens Advisory Committee for Natural Areas Program]**
Supervisor Yee

Resolution establishing a Board of Supervisors Citizens Advisory Committee for the Recreation and Park Natural Areas Program.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be RE-REFERRED WITH PENDING AMENDMENT. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Peskin
Noes: 5 - Gonzalez, Hall, Newsom, Sandoval, Yee

021264 **[Urge Recreation and Parks Department to work with neighborhood groups]**
Supervisor Yee

Resolution urging the Recreation and Park Department to work more closely with neighborhood groups.

Resolution No. 609-02

ADOPTED by the following vote:

Ayes: 6 - Gonzalez, Hall, Leno, McGoldrick, Sandoval, Yee
Noes: 3 - Daly, Maxwell, Peskin
Absent: 2 - Ammiano, Newsom

From the Budget Committee Without Recommendation

021356 **[Prohibiting temporary exchanges or reclassifications to Deputy Director, or equivalent classifications or policy-making or policy-implementing positions that report directly to a Department Head, without approval of the Board of Supervisors]**
Supervisors Peskin, Ammiano, Daly, Gonzalez, Sandoval, McGoldrick

Ordinance amending Section 10.1 of the Administrative Provisions of the Annual Appropriation Ordinance to prohibit temporary exchanges or reclassifications to departmental Deputy Director, or equivalent classifications or policy-making or policy-implementing positions that report directly to a Department Head, without approval of the Board of Supervisors.

Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 5 - Daly, Leno, Maxwell, Peskin, Sandoval
Noes: 4 - Gonzalez, Hall, McGoldrick, Yee
Absent: 2 - Ammiano, Newsom

Recommendations of the Transportation and Commerce Committee

021142 **[Motorcycle Parking Zones]**
Supervisors Gonzalez, Daly, Leno

Ordinance amending San Francisco Traffic Code Sections 27 and 219 to allow the removal of non-motorcycles from designated motorcycle parking zones and to encourage the designation of new motorcycle parking zones.

Ordinance No. 185-02
FINALLY PASSED by the following vote:
Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

NEW BUSINESS

Recommendations of the Finance Committee

021418 **[Planning Commission - Alternative Review Process]**
Supervisor Peskin

Emergency ordinance amending the San Francisco Planning Code by amending Section 306, and amending the San Francisco Administrative Code by amending Sections 2A.53 and 31.04, to provide for an alternative process to Planning Commission approval where the Planning Commission is unable to meet because a majority of its members has not been appointed; adopting declaration of emergency under Charter Section 2.107; and setting forth period of time within which this emergency ordinance shall be operative.

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Emergency ordinance amending the San Francisco Planning Code by amending Section 306, and amending the San Francisco Administrative Code by amending Sections 2A.53 and 31.04, to provide for an alternative process to Planning Commission review where the Planning Commission is unable to meet because a majority of its members has not been appointed; adopting declaration of emergency under Charter Section 2.107; and setting forth period of time within which this emergency ordinance shall be operative.

PASSED AS EMERGENCY MEASURE by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Yee

Supervisor McGoldrick noted absent at 8:20 p.m.

021404 **[Setting San Francisco's fiscal year 2002-2003 property tax rate and establishing pass-through rate for residential tenants]**
Supervisor Gonzalez

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2003. (Controller)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

021405 **[Setting San Francisco Community College District's fiscal year 2002-2003 property tax rate to be included in the City's overall property tax rate]**
Supervisor Gonzalez

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2003. (Controller)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

021406 **[Setting San Francisco's Unified School District's fiscal year 2002-2003 property tax rate to be included in the City's overall property tax rate]**
Supervisor Gonzalez

Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2003. (Controller)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

021407 **[Rescind funding for the Art Commission for municipal symphony concerts using property tax revenue]**
Supervisor Gonzalez

Ordinance rescinding $31,964 in appropriation authority for the municipal symphony concerts using property tax revenue, pursuant to Charter Section 16.106(1) for the Art Commission for fiscal year 2002-03. (Controller)

PASSED, ON FIRST READING by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

020794 **[Ellis-O'Farrell Parking Garage Bond Refinancing]**
Mayor

Resolution approving and authorizing the issuance of City of San Francisco Ellis-O'Farrell Parking Corporation Parking Revenue Refunding Bonds to refund bonds previously issued by the City of San Francisco Ellis-O'Farrell Parking Corporation; providing that the principal amount of the bonds to be issued shall not exceed an amount that will produce net present value debt service savings of at least three precent; authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such refunding bonds; and ratifying previous actions taken in connection therewith. (Mayor)

(Fiscal impact.)

Resolution No. 586-02
ADOPTED by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

021290 **[Modification to the Professional Service Agreement for Construction Management Services for SFO AirTrain for a new total contract amount]**

Resolution approving Modification No. 7, the Close-out Modification, to Professional Services Agreement, Contract 5700CM - Construction Management Services for the AirTrain System, with PGH Wong Engineering/Luster Construction Management, in the amount of $2,644,367 for a new total contract amount not to exceed $32,847,364. (Airport Commission)

(Fiscal impact; Public Benefit Recipient.)

Resolution No. 612-02

ADOPTED by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

021313 **[Branch Library General Obligation Bond Sale]**
Mayor

Resolution authorizing and directing the sale of not to exceed $23,135,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000), Series 2002B; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor)

(Fiscal impact.)

Resolution No. 589-02

ADOPTED by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

021416 **[Grant Federal Funds]**
Mayor

Resolution authorizing the Municipal Transportation Agency Board to accept and expend $15,925,000 of Federal Formula Section 5307 Capital Assistance for San Francisco capital project Motor Coach Replacement, excluding Administrative Overhead Costs. (Mayor)

(Supervisor Daly dissenting in Committee)

Resolution No. 591-02

ADOPTED by the following vote:

Ayes: 7 - Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez
Absent: 3 - Ammiano, Daly, McGoldrick

Supervisor Newsom, seconded by Supervisor Maxwell, moved to rescind the previous vote:
Motion carried by the following vote:
Ayes: 7 - Gonzalez, Hall, Leno, Maxwell, Newsom Peskin, Yee
Noes: 1 - Sandovol
Absent: 3 - Ammiano, Daly, McGoldrick

Resolution failed adoption by the following vote:
Ayes: 5 - Ammiano, Hall, Leno, Maxwell, Peskin
Noes: 3 - Daly, Gonzalez, Sandoval
Absent: 3 - McGoldrick, Newsom, Yee

Recommendations of the Health and Human Services Committee

012186 [Regulation of Diesel Backup Generators]
Supervisors Maxwell, Daly, Gonzalez

Ordinance amending the San Francisco Health Code by adding a new Article 30 to: (1) establish a registration program within the Department of Public Health for diesel backup generators used by facilities in the City and County of San Francisco; (2) require new backup diesel generators to have air emission control technologies; (3) limit the operation of diesel backup generators during non-emergency situations; (4) establish a recordkeeping requirement for the operation of diesel backup generators; and (5) provide for an enforcement mechanism for violations of the requirements of this Ordinance.

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021223 [Senate Bill 1301 - Reproductive Privacy Act]
Supervisors Newsom, Peskin, Daly, Ammiano, Gonzalez

Resolution urging the State Legislature to adopt Senate Bill 1301, introduced by Senator Sheila Kuehl, relating to an act to amend Section 2253 of the Business and Professions Code, to add Article 2.5 to Chapter 2 of Part 2 of Division 106 of, and to repeal Sections 123400, 123405, 123407, 123410, 123415, and 123430 of the Health and Safety Code, relating to reproductive privacy.

Amended on page 1, line 3, by replacing "State Legislature to adopt" with "Governor Gray Davis to sign".
New Title.
Supervisors Ammiano and Gonzalez requested to be added as co-sponsors.
Supervisor Newsom, seconded by Supervisor McGoldrick, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

Resolution urging Governor Gray Davis to sign Senate Bill 1301, introduced by Senator Sheila Kuehl, relating to an act to amend Section 2253 of the Business and Professions Code, to add Article 2.5 to Chapter 2 of Part 2 of Division 106 of, and to repeal Sections 123400, 123405, 123407, 123410, 123415, and 123430 of the Health and Safety Code, relating to reproductive privacy.

Resolution No. 606-02
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

Recommendations of the Public Works and Public Protection Committee

021095 [Notification of Solicitations]
Supervisors Sandoval, Daly

Ordinance amending the San Francisco Administrative Code by amending Section 12 D.A. 9. to require that all contract awarding authorities submit current bids, requests for proposals and solicitations to the Purchaser of Supplies of the City and County of San Francisco and cause to be posted on a Purchaser's website certain information concerning current bids, requests for proposals and solicitations.

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021201 [Building Code]
Supervisor Sandoval

Ordinance repealing the San Francisco Building Code and adopting, in its entirety, a new San Francisco Building Code. (Building Inspection Department)

(Companion measure to File 021202.)

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021202 [Building Code]
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Building Code, as required by California Health and Safety Code. (Building Inspection Department)

Resolution No. 599-02
ADOPTED by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021203 [Electrical Code]
Supervisor Sandoval

Ordinance repealing the San Francisco Electrical Code and adopting, in its entirety, a new San Francisco Electrical Code. (Building Inspection Department)

(Companion measure to File 021204.)

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021204 [Electrical Code]
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Electrical Code, as required by California Health and Safety Code. (Building Inspection Department)

Resolution No. 600-02

ADOPTED by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021205 [Housing Code]
Supervisor Sandoval

Ordinance repealing the San Francisco Housing Code and adopting, in its entirety, a new San Francisco Housing Code. (Building Inspection Department)

(Companion measure to File 021206.)

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021206 [Housing Code]
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Housing Code, as required by California Health and Safety Code. (Building Inspection Department)

Resolution No. 601-02

ADOPTED by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021207 [Mechanical Code]
Supervisor Sandoval

Ordinance repealing the San Francisco Mechanical Code and adopting, in its entirety, a new San Francisco Mechanical Code. (Building Inspection Department)

(Companion measure to File 021208.)

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021208 **[Mechanical Code]**
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Mechanical Code, as required by California Health and Safety Code. (Building Inspection Department)

Resolution No. 602-02

ADOPTED by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021209 **[Plumbing Code]**
Supervisor Sandoval

Ordinance repealing the San Francisco Plumbing Code and adopting, in its entirety, a new San Francisco Plumbing Code. (Building Inspection Department)

(Companion measure to File 021210.)

PASSED ON FIRST READING by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

021210 **[Plumbing Code]**
Supervisor Sandoval

Resolution endorsing those changes and providing findings as to the local conditions requiring amendments to the State Plumbing Code for buildings, as required by California Health and Safety Code. (Building Inspection Department)

Resolution No. 603-02

ADOPTED by the following vote:
Ayes: 7 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Yee

Supervisor Yee noted present at 8:55 p.m.

021213 **[Telecommunication conduit across Minna Street for SFMOMA]**
Resolution granting revocable permission to San Francisco Museum of Modern Art (SFMOMA) to occupy a portion of the public right-of-way to excavate, install and maintain one (1) 4-inch Schedule 40 conduit across Minna Street, between 3rd and New Montgomery Streets to interconnect the SFMOMA at 151 3rd Street (Block 3722, Lot 078) with auxiliary office space at 667 Mission Street/170 Minna Street (Block 3722, Lot 067) for providing voice and data connection between the two buildings and making findings of consistency with the priority policies of Planning Code Section 101.1. (Public Works Department)

Resolution No. 604-02

ADOPTED by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

From the Public Works and Public Protection Committee Without Recommendation

021289 **[Extension of Water Department Contract with Westin Engineering, Inc. for construction support services, and assistance with claims analysis and dispute resolution or the S.F. Water Supervisory Control and Data Acquisition (SCADA) project beyond 10 years]**

Resolution pursuant to Charter Sec. 9.118 approving an extension of the term beyond ten years of San Francisco Public Utilities Commission's professional services contract number CS-460 with Westin Engineering, Inc. for construction support services in connection with the San Francisco Water Supervisory Control and Data Acquisition (SCADA) project to cover the duration of the related construction contract, including closeout of the construction contract. (Public Utilities Commission)

(Fiscal impact.)

Resolution No. 611-02

ADOPTED by the following vote:

Ayes: 7 - Daly, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez
Absent: 3 - Ammiano, McGoldrick, Newsom

Recommendations of the Rules and Audits Committee

021189 **[Skateboarding Task Force]**
Supervisors Newsom, Sandoval, Gonzalez, Daly

Resolution establishing a Skateboarding Task Force to provide policy recommendation, and advise the Board Of Supervisors, Recreation and Park Department, Police Department, San Francisco Unified School District, Port of San Francisco and Youth Commission regarding skateboarding policies, issues and activities, and to serve as the designated advisory body regarding skateboarding issues for the City and County of San Francisco.

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 597-02

ADOPTED by the following vote:

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

Supervisor Daly noted absent at 9:06 p.m.

021358 **[Safe Haven for Newborns Task Force]**
Supervisors Hall, Sandoval, Maxwell, Gonzalez

Resolution establishing a Safe Haven for Newborns Task Force charged with determining how to implement SB 1368, which provides for the safe surrender of unwanted newborns. The Task Force shall be comprised of one representative from each of the following agencies or organizations: the Department of Public Health, the District Attorney's Office, the Fire Department, the Department of Children Youth, and their Families, the Juvenile Probation Department, the Youth Commission (or their designee), the San Francisco Unified School District, the Mental Health Board, the Department of Human Services, the Police Department, and a member of the community with expertise in the area of domestic violence.

Resolution No. 615-02

ADOPTED by the following vote:

Ayes: 7 - Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 4 - Ammiano, Daly, McGoldrick, Newsom

Supervisor Newsom noted present at 9:07 p.m.

From Rules and Audits Committee Without Recommendation

020135 **[Employee Claim Reimbursement]**

Resolution authorizing reimbursement of $1,452.00 to Kathryn Hall for the cost of personal property of a City and County employee damaged or stolen in the line of duty.

Resolution No. 594-02

ADOPTED by the following vote:

Ayes: 6 - Gonzalez, Leno, Maxwell, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee
Absent: 3 - Ammiano, Daly, McGoldrick

SPECIAL ORDER 3:00 P.M.

021229 **[Hearing - Reinspection Fee Lines, Department of Public Health]**

Hearing of persons interested in or objecting to the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Clerk of the Board)

HEARD AT PUBLIC HEARING.

From Department of Public Health

021215 **[Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]**

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)

Resolution No. 605-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

SPECIAL ORDER 3:00 P.M.

021235 **[Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Clerk of the Board)

HEARD AT PUBLIC HEARING.

From Department of Public Health

021234 **[Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]**

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

Resolution No. 607-02

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

SPECIAL ORDER 3:00 P.M.

021240 **[Public Hearing - Appeal, Conditional Use, 1598 Dolores Street (Reilly's Funeral Home)]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16445 dated June 20, 2002, approving Conditional Use Application No. 2000.1058C to develop two (2) residential buildings with a total of 13 dwelling units (two of which are affordable) and up to 26 off-street parking spaces, to develop a lot 5,000 square feet or more in size, within an NC-1 (Neighborhood Commercial Cluster) District, and a 40-X Height and Bulk District on property located at 1598 Dolores Street (Reilly's Funeral Home), northwest corner of Dolores and 29th Streets; Lots 7, 9, and 38, in Assessor's Block 6618.

(Appeal filed July 17, 2002; categorically exempt from the environmental review process in accordance with the State Guidelines for the implementation of CEQA and Chapter 3.1 of the San Francisco Administrative Code; Case No. 2000.1058C; companion measure to 021240, 021241, 021242, 021243, 021280; District 8.)

Appellants: Steven Williams, Ms. Seville, Jonnie Sharp, Robert Sharp, Beatrice Eisman, Jean Ammerman,Tom Mogensen,Betty Dy, Susan Chiu, Adi Berglez, Melanie Betlach, Cynthia Berglez, David Clifton, Domingo Taneua, Jessica (Valley Street Resident), Vicki Rosen, Tom Loganstan; Amelia Elfamia, Mr. Monks, Judith Holmes, Eileen Hansen, Male speaker
Respondents: Andrew Junius, Joe Cassidy, Bruce Bauer, Elizabeth Naughton, Eve Maher, Dana Crowder, Grace Kiely, Jerry Augusta, Eva Hom John Woolley, Angelene McLoughlin, Michael Leavitt, Tim Harringon, Cathy Schareta, Richie Harte, Randy Boardman, Deirder Cassidy, Mike Forkin, Stan Warner, Al Markus, Jim Levesque, Bruce Baomann, Joe O'Donohue, Alice Barkley, Hoife Burke, Kieran Buckley, Gerry Agosta, Evin McCarthy, Reita Byrne, Redmond Lyons, Patrick Byrne, James Nunemacher, Tom Harrington, Mike Murray, Angus McCarthy, Mike Cassidy, John O'Conor, N.M. Burton, Eamon Murphy, Charles Breidinger, Sean Kiegran

A rebuttal period was allowed.

The President then declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

021280 **[Environmental Review - 1598 Dolores Street]**

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M02-150

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

(Only one of the following two motions should be adopted.)

021241 **[Appeal, Conditional Use, 1598 Dolores Street]**

Motion approving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

Supervisior Leno, seconded by Supervisor Maxwell, moved an amendment of the whole.
Amendment passed by the following vote:
Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Daly, Hall, Newsom, Yee

Motion as amended failed adoption by the following vote:
Ayes: 7 - Ammiano, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval,
Noes: 4 - Daly, Hall, Newsom, Yee

Supervisor Leno, seconded by Supervisor Daly, moved to rescind the previous vote.
Motion carried by the following vote:
Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

Supervisor Leno, seconded by Supevisor Maxwell, moved to recess.

Motion to recess carried by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Hall, Newsom, Yee

The Board recessed at 6:45 p.m.
The Board reconvened at the hour 7:25 p.m

Continued to September 17, 2002

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 5 - Ammiano, Gonzalez, Leno, Maxwell, Peskin
Noes: 3 - Hall, Newsom, Yee
Absent: 3 - Daly, McGoldrick, Sandoval

021242 [Appeal, Conditional Use, 1598 Dolores Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

Continued to September 17, 2002

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 5 - Ammiano, Gonzalez, Leno, Maxwell, Peskin
Noes: 3 - Hall, Newsom, Yee
Absent: 3 - Daly, McGoldrick, Sandoval

021243 [Findings - 1598 Dolores Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1058C, on property located 1598 Dolores Street, for action by the Board at its next meeting.

Continued to September 17, 2002

Supervisor Leno, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 5 - Ammiano, Gonzalez, Leno, Maxwell, Peskin
Noes: 3 - Hall, Newsom, Yee
Absent: 3 - Daly, McGoldrick, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 021486.)

021455 [Committee of the Whole]
Supervisor Peskin

Hearing to consider the Mayor's nominations to the Planning Commission (File Nos. 021487-021494).

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Committee of the Whole Rise and Report Without Recommendation

COMMITTEE REPORTS

From Rules and Audits Committee

021444 [Confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency]
Supervisor Daly

Resolution confirming the appointment of Michelle Sexton to the San Francisco Redevelopment Agency for the remainder of a four-year term ending September 3, 2003. (Mayor)

Resolution No. 592-02
ADOPTED by the following vote:
Ayes: 8 - Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, Daly, McGoldrick

021100 [Claudine Cheng Reappointment to the Treasure Island Development Authority]
Mayor, Supervisor Daly

Resolution confirming the reappointment of Ms. Claudine Cheng to the Treasure Island Development Authority, term ending April 28, 2006. (Mayor)

Resolution No. 588-02
ADOPTED by the following vote:
Ayes: 6 - Hall, Leno, Maxwell, Newsom, Peskin, Yee
Noes: 2 - Gonzalez, Sandoval
Absent: 3 - Ammiano, Daly, McGoldrick

021359 [Voting Modernization Bond Act of 2002]
Supervisors Peskin, Gonzalez, Daly

Resolution approving the application for funds under the Voting Modernization Bond Act of 2002 (Proposition 41).

Resolution No. 590-02
ADOPTED by the following vote:
Ayes: 8 - Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, Daly, McGoldrick

From Transportation and Commerce Committee

020680 [Establishing a Striped Bicycle Lane on Cabrillo Street]
Supervisors McGoldrick, Daly

Resolution establishing a striped bicycle lane westbound and eastbound on Cabrillo Street from Arguello Boulevard to La Playa Street.

(6/6/02 Categorically Exempt from Environmental Review - Creation of bicycle lanes on existing rights-of-way)

Resolution No. 596-02
ADOPTED by the following vote:
Ayes: 8 - Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, Daly, McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdalla Megahed; Homelessness issues;
Andrew Elksmere; Falun Gong
Chun Lee; Falun Gong
John Bardis;City Policy issues

From Rules and Audits Committee Without Recommendation

020942 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Cecelia Wade against the City and County of San Francisco for $250,000; the lawsuit was filed on July 11, 2001 in the San Francisco Superior Court and later was transferred to the District Court of the Northern District of California, Case No. C01-3165; entitled Cecelia Wade, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Supervisor Gonzalez, seconded by Supervisor Hall, moved to amend on page 1 lines 4 and 11 by replacing "$250,000" with "$350,000".
AMENDED.

Ordinance authorizing settlement of the lawsuit filed by Cecelia Wade against the City and County of San Francisco for $350,000; the lawsuit was filed on July 11, 2001 in the San Francisco Superior Court and later was transferred to the District Court of the Northern District of California, Case No. C01-3165; entitled Cecelia Wade, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Absent: 5 - Ammiano, McGoldrick, Newsom, Sandoval, Yee

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

Supervisor Gonzalez, seconded by Supervisor Hall, moved. The motion carried by the following vote:
Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Absent: 5 - Ammiano, McGoldrick, Newsom, Sandoval, Yee

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.

Recess

The Board recessed at the hour of 10:05 pm to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 11:25 pm. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, - 6.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above existing litigation.

Persons in attendance:
Supervisors: Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Ted Lakey, Deputy City Attorney
Jo Hoeper, Deputy City Attorney
Jason Gonzalez, Deputy City Attorney
Dr. Mitch Katz, DPH
Alison Moed, DPH
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Gonzalez, seconded by Supervisor Daly, moved. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Absent: 5 - Ammiano, McGoldrick, Newsom, Sandoval, Yee

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation as Plantiff or Defendant

021321 [Anticipated Litigation]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a plaintiff or defendant) which may occur with Television Signal Corporation and AT&T Broadband et al. regarding compliance with the City's cable television franchise and AT&T Broadband's proposed merger with Comcast. (City Attorney)

This closed session would be permitted by Government Code Section 54956.9(b) and (c) and the San Francisco Administrative Code Section 67.10(d).

Supervisor Gonzalez, seconded by Supervisor Hall, moved to convene in closed session. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Absent: 5 - Ammiano, McGoldrick, Newsom, Sandoval, Yee

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.

Recess

The Board recessed at the hour of 10:05 pm to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 11:25 pm. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, - 6.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (b) and (c) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors: Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Ted Lakey, Deputy City Attorney
Julia Friedlander, Deputy City Attorney
Lisa Gelb, Deputy City Attorney
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.
Hearing held. Filed

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Gonzalez, seconded by Supervisor Daly, moved. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Absent: 5 - Ammiano, McGoldrick, Newsom, Sandoval, Yee

Supervior Daly noted present at 9:45 p.m.

021469 **[Issuance and Sale of Revenue Bonds - Folsom/Dore Multifamily Residential Rental Housing Development]**
Supervisor Daly

Resolution approving, for the purposes of the Internal Revenue Code, the issuance and sale of revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $19,000,000 for the Folsom/Dore multifamily residential rental housing development.

(Fiscal impact.)

Resolution No. 593-02
ADOPTED

021471 **[Accept-Expend Robert Wood Johnson Foundation Grant]**
Supervisor Newsom

Resolution authoring the Department of Aging and Adult Services to accept and expend a grant in the amount of $150,000 from the Robert Wood Johnson Foundation for a strategic planning process to develop an integrated model of service delivery for older and disabled adults.

Resolution No. 622-02
ADOPTED

021472 **[Urge Passage of AB 714]**
Supervisors Sandoval, Daly

Resolution urging the California State Senate to pass Assembly Bill No. 714.

Resolution No. 623-02
ADOPTED

021473 **[Support Senate Bill 1736]**
Supervisors Sandoval, Daly

Resolution urging Governor Gray Davis to sign Senate Bill 1736.

Resolution No. 624-02
ADOPTED

021474 **[Support 5th International Michelin Challenge Bibendum]**
Supervisor Ammiano

Resolution supporting the 5th International Michelin Challenge Bibendum to San Francisco in September, 2003, and pledging our close cooperation and support of this important event.

Resolution No. 625-02
ADOPTED

021475 **[Extending Abandoned Auto Vehicle]**
Supervisor Maxwell

Resolution authorizing the extension of the one dollar ($1) vehicle registration fee on all vehicles registered in San Francisco to be used only for the abatement, removal and disposal of abandoned vehicles pursuant to Senate Bill 1333.

Resolution No. 626-02
ADOPTED

021476 **[Extend Planning Commission Review Period]**
Supervisor Maxwell

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Article 10 of the Planning Code by adding Appendix L designating the Dogpatch Historic District and make findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Resolution No. 627-02
ADOPTED

021477 **[Support Senate Bill 1125]**
Supervisors Newsom, Daly, Peskin, Leno

Resolution urging Governor Gray Davis to adopt Senate Bill 1125, introduced by John Burton, which will give farm workers the ability to recover appropriate monetary relief for all labor violations and will encourage surety bond companies to undertake greater scrutiny of contractors that are issued wage bonds.

Resolution No. 628-02
ADOPTED

021479 **[Commend Mabel Seto]**
Supervisor Sandoval

Resolution commending the Asian Pacific American Community Center for its first fundraising event and Mabel Seto on the occasion of her birthday.

Resolution No. 629-02
ADOPTED

021480 **[Commend First SF Summit on Immigrant Rights]**
Supervisors Sandoval, Daly

Resolution commending the San Francisco Immigrant Rights Commission for organizing the First San Francisco Summit on Immigrant Rights.

Resolution No. 630-02
ADOPTED

021481 **[Commend Big Brothers Big Sisters of America]**
Supervisors Leno, Maxwell

Resolution commending Big Brothers Big Sisters of America (BBBS), an award-winning youth organization that allows gay and lesbian volunteers the equal opportunity to serve as one-on-one mentors to children.

Resolution No. 631-02
ADOPTED

021482 **[Commend New Bessie Carmichael Working Group]**
Supervisor Daly

Resolution commending the efforts of the New Bessie Carmichael Working Group.

Resolution No. 632-02
ADOPTED

021483 **[Commend Mission Learning Center]**
Supervisor Daly

Resolution commending Mission Learning Center for its commitment to the community through education, and for its impressive results in teaching children to read at their grade level.

Resolution No. 633-02
ADOPTED

021484 **[Commend Juma Ventures]**
Supervisor Newsom

Resolution commending Juma Ventures for its recent distinction as a 2002 Promising and Effective Practices Network (PepNet) renewal Awardee.

Resolution No. 634-02
ADOPTED

021496 **[Commend Chinese Historical Society of America]**
Supervisors Sandoval, Daly, Peskin

Resolution commending the Chinese Historical Society of America on the occasion of their 2002 Gala, Half of Heaven: "Chinese American Women of Honor", in San Francisco on Saturday, September 14, 2002.

Resolution No. 635-02
ADOPTED

021457 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M02-152
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

Severed From For Adoption Without Committee Reference Agenda

021466 [Design Build Contract]
Supervisors Maxwell, Daly

Resolution approving award of a design build contract for the "Moscone Center Renewable Energy Power Plant".

(Fiscal impact.)

Supervisor Maxwell requested this matter be severed so it could be considered separately.

Resolution No. 621-02

ADOPTED by the following vote:
Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

021478 [Use of Veterans Building]
Supervisor Yee

Resolution urging the San Francisco Posts of the American Legion ("San Francisco Posts"), as beneficiaries of the 1921 War Memorial Trust Agreement, to allow Veterans' groups that have been nationally chartered by Congress to have equal access to the San Francisco Posts' allotted space in the War Memorial Veterans Building.

Supervisor Daly requested that this matter be severed so it could be considered separately.
Supervisor Daly requested this item be referred to Committee.

REFERRED to the Finance Committee.

021495 [Oppose State Senate Bill 1918]
Supervisors Daly, Peskin

Resolution opposing State Senate Bill 1918 which will redefine "pedestrians" to include riders of Segway motorized vehicles.

Supervisor Yee requested that this matter be severed so it could be considered separately.
Supervisor Yee requested this item be referred to Committee.

REFERRED to the Transportation and Commerce Committee.

021486 **[Committee of the Whole]**
Supervisor Peskin

Motion scheduling a Committee of the Whole to consider the Mayor's nominations to the Planning Commission to be held on August 26, 2002 at 3:00 p.m. (File Nos. 021487-021494)

Supervisor Peskin requested that File Nos. 021486, 021498, and 021487-021494 be severed so they could be considered separately.
Supervisor Peskin requested to table the above items.

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021498 **[Suspending the Rules of Order]**
Supervisor Peskin

Motion suspending Rule 4.37 regarding referral of appointments to Rules Committee.

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021487 **[Appointment, Planning Commission]**
Motion approving the Mayor's nomination to Seat No. 4 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021491 **[Appointment, Planning Commission]**
Motion rejecting the Mayor's nomination to Seat No. 4 of the Planning Commission. (Mayor)

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021488 **[Appointment, Planning Commission]**
Motion approving the Mayor's nomination to Seat No. 5 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021492 **[Appointment, Planning Commission]**
Motion rejecting the Mayor's nomination to Seat No. 5 of the Planning Commission. (Mayor)

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021489 [Appointment, Planning Commission]
Motion approving the Mayor's nomination to Seat No. 6 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021493 [Appointment, Planning Commission]
Motion rejecting the Mayor's nomination to Seat No. 6 of the Planning Commission. (Mayor)

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021490 [Appointment, Planning Commission]
Motion approving the Mayor's nomination to Seat No. 7 of the Planning Commission, term to be determined by lot. (Mayor)

Vacant seat, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

021494 [Appointment, Planning Commission]
Motion rejecting the Mayor's nomination to Seat No. 7 of the Planning Commission. (Mayor)

TABLED by the following vote:
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Hall, seconded by Supervisor Daly, moved ADOPTION of the Commendary Finding Act. The motion carried by the following vote:
Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Absent: 5 - Ammiano, McGoldrick, Newsom, Sandoval, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Hall, seconded by Supervisor Daly, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Absent: 5 - Ammiano, McGoldrick, Newsom, Sandoval, Yee

021499 **[Brotherhood Way Remembrance Day]**
Supervisor Hall

Resolution proclaiming September 10, 2002 as "Brotherhood Way Rememberance Day" in the City and County of San Francisco in honor of the ecumenical prayer service and candlelight vigil involving the congregations of Brotherhood Way in rememberance of the attacks of September 11, 2001.

Resolution No. 636-02

ADOPTED by the following vote:

Ayes: 6 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin
Absent: 5 - Ammiano, McGoldrick, Newsom, Sandoval, Yee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

021501 **[Add Police Code Sections 750 to 752 - Regulating computer rental businesses]**
Supervisor Yee

Ordinance adding Sections 750 to 752 to the San Francisco Police Code, regulating businesses that rent computer time to patrons by prohibiting minors from using game controllers during certain hours, regulating sound, requiring supervision, prohibiting loitering, limiting the number of computers per square foot, requiring a waiting area posting hours of operation, prohibiting the sale of food and drink in premises with more than five computers for rent, and providing for penalty.

8/26/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 9/25/2002.

021502 **[Establishing new timetables for submission of the budget]**
Supervisor McGoldrick

Ordinance amending Administrative Code Section 3.3 to require agencies, boards and commissions to submit budget estimates to the Controller by the 21st of January; require the Controller to consolidate and submit budget estimates to the Mayor by the first working day in February; require the Mayor to submit a preliminary budget to the Board of Supervisors by the first working day of March, and a proposed budget to the Board of Supervisors by the first working day of May; amending Administrative Code Section 3.4 to reflect the new deadline for submission of the Mayor's proposed budget to the Board of Supervisors.
8/26/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/25/2002.

021503 **[Amend Subdivision Code Section 1308]**
Supervisor McGoldrick

Ordinance amending the San Francisco Subdivision Code by amending Section 1308 to provide that a tenant may also be an owner of record of the property and to remove the requirement that a tenant have an exclusive right to occupy a unit; and amending Section 1316 to address the formation of tenancies in common in buildings of six units or more.
8/26/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

021504 **[Prevailing rate of wage and displaced worker protection for workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the CCSF]**
Supervisors Leno, Ammiano, Gonzalez

Ordinance adding Section 21.25-2 to the Administrative Code to require that workers employed in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.
8/26/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/25/2002.

021505 **[Ordinance adding Section 21.25-3 to the Administrative Code]**
Supervisors Leno, Ammiano, Daly

Ordinance adding Section 21.25-3 to the Administrative Code to require that workers engaged in rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services on property owned or leased by the City and County of San Francisco be paid the prevailing rate of wage and that such workers will have job protection with the successor contractor for a transition period after a lease, management agreement or other contractual arrangement is terminated.
8/26/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 9/25/2002.

021506 **[Economic Development Plan and Fund]**
Supervisor Daly

Ordinance amending the San Francisco Administrative Code to (1) require the Office of Economic Development to prepare and annually update an Economic Development Plan, (2) create a San Francisco Economic Development Fund to promote economic and business development and attract and retain jobs within the City, (3) create an economic development committee to administer the fund, and (4) require, as part of the local legislative process, that the Office of Economic Development prepare an analysis of the potential impacts of proposed legislation upon the San Francisco economy and tax revenues prior to enactment by the Board of Supervisors.

(Fiscal impact.)
8/26/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 9/25/2002.

021507 **[Appropriation for janitorial staff at the Asian Art Museum]**
Supervisor Daly

Ordinance appropriating $243,889 from the General Fund Reserve and reappropriating $247,000 in professional services for a total of $490,889 for janitorial staff for the Asian Art Museum for fiscal year 2002-03.

(Fiscal impact.)
8/26/02, RECEIVED AND ASSIGNED to Finance Committee.

021526 **[New Mission Bay Branch Library]**
Mayor

Ordinance approving and authorizing the Director of Property to execute an Agreement of Purchase and Sale of Real Property with the Redevelopment Agency of the City and County of San Francisco for the purchase of a new Mission Bay Branch Library of the San Francisco Public Library to be constructed and located on land that is referred to herein as Parcel N3a-1 fronting on 4th Street between Berry Street and the Mission Creek Channel within the Mission Bay North Redevelopment Plan Area; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Ordinance. (Mayor)

(Fiscal impact.)
8/26/02, RECEIVED AND ASSIGNED to Finance Committee.

021529 **[Public Employment - Asian Art Museum]**
Supervisor Daly

Ordinance amending Annual Salary Ordinance 2002/03 reflecting the creation of eight positions (7.5FTEs) at the Asian Art Museum.

(Fiscal impact; Companion measure to File 021507.)
8/26/02, RECEIVED AND ASSIGNED to Finance Committee.

Resolutions

021499 **[Brotherhood Way Remembrance Day]**
Supervisor Hall

Resolution proclaiming September 10, 2002 as "Brotherhood Way Rememberance Day" in the City and County of San Francisco in honor of the ecumenical prayer service and candlelight vigil involving the congregations of Brotherhood Way in rememberance of the attacks of September 11, 2001.
8/26/02, ADOPTED.

021509 **[Interim Zoning Establishing the Eastern Foothills Special Use District with Associated Restrictions]**
Supervisor Leno

Resolution imposing interim zoning controls to establish the Eastern Foothills Special Use District with associated zoning restrictions for an eighteen (18) month period and making a determination of consistency with the priority policies of Planning Code Section 101.1.
8/26/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021510 **[General Advertising Sign Relocation]**
Supervisor Daly

Resolution authorizing Clear Channel Outdoor Inc. to seek conditional use authorization from the Planning Department to erect two, two-sided general advertising relocation signs measuring up to 14 feet wide by 48 feet high, and to install a non-illuminated "flipper box" at the general advertising sign located at 274 Brannan Street, in exchange for the elimination of the "message center" from the general advertising sign located at 274 Brannan Street and the removal of nine "8-sheet" general advertising signs in the City.
8/26/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

021511 **[Commend Chinatown Child Development Center]**
Supervisors Yee, Daly, Gonzalez

Resolution commending the excellent work of the Chinatown Child Development Center and congratulating CCDC on the occasion of its 30th Anniversary.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021512 **[Congratulating Superintendent Ackerman and Board of Education for improved academic performance]**
Supervisors Ammiano, Newsom, McGoldrick, Daly

Resolution congratulating Superintendent Ackerman and the Board of Education for their steadfast commitment to improving the quality of San Francisco's public schools; and supporting their proven efforts to raise academic performance and improve San Francisco's public schools.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021513 **[Support UC Davis Researcher, Bin Han]**
Supervisor Sandoval

Resolution supporting UC Davis researcher Bin Han in his pursuance of justice in the face of wrongful accusations of embezzlement and espionage.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021514 **[Oppose Social Security Administration's No-Match Policy]**
Supervisors Sandoval, Gonzalez, Daly

Resolution opposing the Social Security Administration's "No-Match" letter policy and urging local employers to adopt a code of conduct towards no match letters.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021515 **[Marina District Pedestrian Safety]**
Supervisor Newsom

Resolution urging the Municipal Transportation Agency Board of Directors to take all necessary steps in mitigating unsafe traffic conditions in the Marina District, specifically at the corner of Lombard and Fillmore Streets, including consideration of the installation of a countdown light, and the installation of a lit crosswalk at this intersection and working with the Office of the City Attorney and the San Francisco Police Department in concert for a unified and collaborative effort to make safer streets and ensure maximum pedestrian safety.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021516 **[Designate Southeast Corner of Filbert and Grant "Poet's Corner"]**
Supervisors Peskin, Gonzalez, Daly, Newsom

Resolution designating the southeast corner of Filbert and Grant in North Beach as the official Poet's Corner of the City of San Francisco beginning on Sunday, September 22, 2002, and to honor the contribution of poets past and present by approving the installation of a commemorative plaque at this location.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021517 **[Commend Anti-Hate Campaign]**
Supervisors Daly, Newsom

Resolution supporting the citywide "Anti-Hate Campaign."
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021518 **[Commend Family Connections, San Bruno Merchants, St. Elizabeth Chapter of SF]**
Supervisor Maxwell

Resolution to commend Family Connections, San Bruno Merchants Association, the St. Elizabeth Chapter of the San Francisco Organizing and the greater Portola community for their efforts to revitalize their neighborhood and proclaim Sunday, September 29, 2002 as San Bruno Avenue Community Festival Day in San Francisco.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021519 **[Support SEIU's "Principles for a More Secure San Francisco"]**
Supervisor Daly

Resolution supporting SEIU's five-point plan.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021520 **[Commend "Daughters of Charity" 150 years]**
Supervisors Yee, Newsom

Resolution commending the Daughters of Charity for One Hundred Fifty Years of Service.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021521 **[Accept and expend state grant funds for FY 02-03 totaling $80,000 for the Glen Park BART Station Area Plan Project in San Francisco.]**
Supervisor Leno

Resolution authorizing the Director of the Planning Department to accept and expend State Highway Account Community-Based Transportation Planning funds totaling $80,000 with required local matching funds totaling $20,000 for the Bay Area Rapid Transit (BART) Glen Park Station Area Plan Project in the City and County of San Francisco.
8/26/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Requests for Hearing

021522 **[Safety concerns for staff at the San Francisco General Hospital Psychiatric Unit]**
Supervisor Newsom

Hearing to investigate the recent number of attacks on nurses at the San Francisco General Hospital, including but not limited to:

(1) What is the level of existing security in the psychiatric unit? (2) What are the existing protocols used to ensure the safety of staff and clients of the psychiatric ward? (3) What, if any, are the plans to establish an oversight committee to address long and short term solutions to the growing number of attacks? (4) What is the management's response to nurses having filed complaints to Cal OSHA regarding safety issues at the site?
8/26/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021523 **[Facilities Master Plan (SFUSD)]**
Supervisor Ammiano

Hearing to review the Facilities Master Plan (San Francisco Unified School District) with a focus on Healthy Schools.
8/26/02, RECEIVED AND ASSIGNED to City and School District Committee. Sponsor requests this item be scheduled for consideration at the September 18, 2002 meeting.

021524 **[Psych Tech Safety in the Health Department]**
Supervisor Daly

Hearing to consider safety and staffing levels of psych tech workers in the San Francisco Department of Public Health.
8/26/02, RECEIVED AND ASSIGNED to Health and Human Services Committee.

021525 **[Passenger safety and workers security at the San Francisco Airport]**
Supervisor Daly

Hearing on passenger safety and workers security at the San Francisco Airport in relation to the implementation of the Pilot Program provisions under the Aviation Transportation Security Act.
8/26/02, RECEIVED AND ASSIGNED to Finance Committee.

Motions

021500 **[Final Map for an 8 Unit Live/Work Condominium Project]**
Supervisor Daly

Motion approving Final Map of 428 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 70, Assessor's Block No. 3757, and adopting findings pursuant to City Planning Code Section 101.1.

(DPW Order No. 173,688; District 6.)
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

021527 **[Legislative Analyst Request]**
Supervisor Daly

Motion asking the Legislative Analyst to address San Francisco's criminal justice system with a specific analysis of race, ethnicity, age, sexual orientation and neighborhood of participants. Contrast San Francisco's offender profile with that of other major American cities. Describe prevention and community organizing programs that keep people from the criminal justice system. Analyze rehabilitation programs for cost effectiveness and efficacy.
8/26/02, ASSIGNED to Board of Supervisors. Scheduled for Board consideration September 17, 2002.

021528 [Needle Exchange Emergency]
Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
8/26/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED RESOLUTIONS

021452 [Settlement of Claim]
Resolution approving the settlement of the unlitigated claim filed by Elizabeth Clot against San Francisco for $75,000; claim was filed on July 12, 2002. (City Attorney)

(Public Benefit Recipient.)
8/19/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.

021454 [UCSF Mission Bay Campus - Utility Crossings and an at grade pedestrian crossing]
Supervisor Leno

Resolution granting revocable permission to Regents of the University of California to occupy a portion of the public right-of-ways to construct, install and maintain utility crossings and joint trenches on future 4th and Owens Streets, and on future South Common Street, for providing various services to the new UCSF Mission Bay Campus; and to construct and maintain an at grade pedestrian crossing at a future mid-block signalized intersection on future 4th Street at future private 14th Street and making findings of consistency with the City General Plan and eight priority policies of the City Planning Code Section 101.1. (Public Works Department)
8/21/02, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

Requests Granted

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft an ordinance providing that, for 3 to 6 unit buildings, 100% of the tenants in the building may convert the building to condominiums; providing further that certain protections shall be in place concerning such conversions to ensure that they are in fact bona fide efforts to provide tenant ownership of their units.

From: Supervisor Maxwell
To: Director, CalTrain
To: Director, AmTrak
To: Director, Union Pacific
To: Director, Peninsula Joint Powers Board
Requesting/Inquiring: To report on budgeting and scheduling of weed control, debris removal, and graffiti abatement program on their properties and along their rights-of-way within the City and County of San Francisco terminating at the passenger terminal at Fourth and Townsend; and to report on the possibility of providing freight service to commercial properties in San Francisco, both in-land and along the waterfront.

From: Supervisors Daly, Gonzalez
To: City Attorney
Requesting/Inquiring: To draft legislation to require 15% inclusionary housing in Conditional Use.

From: Supervisor Daly
To: Director, Department of Public Health
Requesting/Inquiring: To comment on the City and County of San Francisco's implementation of HIPAA, as required by Federal law. Specifically, comment on efforts to achieve administrative simplification of interactions between payers and providers. Also, please comment on actions taken to combat waste, fraud and abuse, and to improve access for health services and coverage.
Moreover, please forward the legislatively mandated assessment submitted to the Office of HIPAA Implementation.

From: Supervisor Newsom
To: Director, Department of Public Health
Requesting/Inquiring: To report on the recent attacks on nurses employed at San Francisco General Hospital in the Psychiatric Wards, specifically: 1) what steps have been taken to mitigate the recent growth of attacks on psychiatric nursing staff by patients; and 2) what protocols have been established to ensure the continued safety of the nursing staff.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft an ordinance, which will implement a mitigation measure of the NR-7 of the Presidio National Park Environmental Impact Study to protect wildlife habitat from inappropriate artificial lighting, and to authorize private enforcement
Thereof making findings pursuant to the California Health and Safety Code Section 18941.5.

In Memoriams

Victor Miller (Supervisors Ammiano, Daly)
Jack Shonkwiler (Supervisor Gonzalez)
Howard Hart (Supervisors Gonzalez, Peskin)
John Burke (Supervisor Hall)
John D. (Jack) Nevin (Supervisor Hall)
Robert Suval (Supervisor Yee)

ADJOURNMENT

There being no further business, the Board at the hour of 11:30 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 15, 2002.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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